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ASSOCIATED NEWSPAPERS LTD.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TAMMY TOUSIGNANT, TOM
TOUSIGNANT, TANNER
TOUSIGNANT, and CONNOR
TOUSIGNANT, a minor by and
through his Guardian Ad Litem,
TAMMY TOUSIGNANT,

Plaintiffs,

vs.

GAWKER MEDIA, an unknown
business entity; GAWKER, an
unknown business entity;
AMERICAN MEDIA INC., a
Delaware Corporation; NATIONAL
ENQUIRER, INC., a Florida
Corporation; NATIONAL
ENQUIRER MAGAZINE, an
unknown business entity;
ASSOCIATED NEWSPAPERS,
LTD., an unknown business entity;
DAILY MAIL, an unknown business
entity; MAIL ONLINE, an unknown
business entity, and Does 1 through
100 Inclusive,

Defendants.

Case No. **SACV11-01383** AG(RNBx)

DEFENDANT ASSOCIATED
NEWSPAPERS LTD.'S NOTICE OF
REMOVAL OF ACTION UNDER 28
U.S.C. § 1441 (DIVERSITY); EXHIBITS
A-J

State Action Filed: July 28, 2011

**TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA:**

Pursuant to 28 U.S.C. §§ 1332(a), 1441(a) and 1446(a), defendant Associated Newspapers Ltd. ("ANL"), hereby removes to this Court the state court action described below. In support of this Notice of Removal, ANL alleges as follows:

1. On or about July 28, 2011, plaintiffs Tammy Tousignant, Tom Tousignant, Tanner Tousignant, and Connor Tousignant, a minor by and through his Guardian Ad Litem, Tammy Tousignant ("Plaintiffs"), filed the above-entitled action as Civil Case No. 30-2011-00495811-CU-DF-CJC in the Superior Court of the State of California, County of Orange ("State Action"). True and correct copies of the Complaint ("Complaint") and Summons in the State Action are attached as **Exhibit A.**

2. ANL first received a copy of the Complaint on August 11, 2011, when its Agent of Service was personally served with the Summons and Complaint in the State Action.

3. Plaintiffs also have named as defendants Gawker Media, Gawker, American Media Inc., National Enquirer, Inc., National Enquirer Magazine, Daily Mail, and Mail Online. Several of these named defendants are not separate juridical entities. Daily Mail and Mail Online are not legal entities; Daily Mail is the name of a newspaper published by ANL, and Mail Online is the name of a website operated by ANL. Similarly, National Enquirer Magazine is a publication of American Media Inc., and is not a separate legal entity. Gawker is not a separate legal entity; it is a website operated by Gawker Media, LLC.

4. On August 18, 2011, Plaintiffs mail-served copies of the Summons and Complaint addressed to Gawker Media, American Media Inc., and National Enquirer Magazine. (To date, Plaintiffs have not filed a proof of service indicating that they have served National Enquirer, Inc.) True and correct copies of Proofs of Service

1 mailed to Gawker Media, Gawker, American Media Inc., and National Enquirer
2 Magazine are attached as **Exhibit B**.

3 5. Accordingly, this Notice of Removal is timely filed within the 30-day
4 period set forth in 28 U.S.C. § 1446(b). See Murphy Bros., Inc. v. Michetti Pipe
5 Stringing, Inc., 526 U.S. 344, 354, 119 S. Ct. 1322, 1328, 143 L. Ed. 2d 448, 459
6 (1999).

7 6. All of the named defendants have consented to and join in this removal.
8 See Proctor v. Vishay Intertechnology Inc., 584 F.3d 1208, 1225 (9th Cir. 2009)
9 (“[o]ne defendant’s timely removal notice containing an averment of the other
10 defendants’ consent and signed by an attorney of record is sufficient”).

11 7. The Complaint also includes as defendants “Does 1 through 100,” but
12 because they are fictitious, as discussed below, they have not yet been served and
13 their consent to removal is unnecessary. See Salveson v. W. States Bankcard Ass’n,
14 731 F.2d 1423, 1429-30 (9th Cir. 1984) (defendants named in the state court action
15 but not yet served need not be joined in the removal); see also Emrich v. Touche
16 Ross & Co., 846 F.2d 1190, 1193 n.1 (9th Cir. 1988); Community Bldg. Co. v. Md.
17 Cas. Co., 8 F.2d 678, 678-79 (9th Cir. 1925).

18 8. On September 8, 2011, Defendants ANL and Gawker Media, LLC filed
19 Answers to the Complaint in the State Court Action, true and correct copies of which
20 are attached as **Exhibits I and J**, respectively.

21 **DIVERSITY JURISDICTION**

22 9. This is a civil action over which this Court has original jurisdiction
23 under 28 U.S.C. § 1332(a), and is one which may be removed to this Court under 28
24 U.S.C. § 1441(a), in that it is a civil action between citizens of different states and
25 countries and the amount in controversy exceeds the sum or value of \$75,000,
26 exclusive of interest and costs. Because the State Action is pending in the Orange
27
28

1 County Superior Court, which is within the Central District of California, removal of
2 the State Action to this District Court is proper under 28 U.S.C. § 1446(a).

3 10. Plaintiffs allege in their Complaint that, at all relevant times, they were
4 and are individuals and residents of Brea, California, which is within the County of
5 Orange. (Compl. ¶ 2.) Accordingly, at the time of filing the State Action, Plaintiffs
6 were, and are currently, citizens of the State of California.

7 11. At the time of filing of the State Action, Defendants were not citizens of
8 the State of California, nor are any of Defendants currently citizens of the State of
9 California.

10 12. For purposes of diversity jurisdiction under 28 U.S.C. § 1332(c)(1), a
11 corporation is deemed to be “a citizen of any State by which it has been incorporated
12 and of the State where it has its principal place of business[.]”

13 13. Moreover, as the Supreme Court has recently held, a corporation’s
14 principal place of business is where “the corporation’s high level officers direct,
15 control, and coordinate the corporation’s activities. Lower federal courts have often
16 metaphorically called that place the corporation’s ‘nerve center.’ ... The ‘nerve
17 center’ will typically be found at a corporation’s headquarters.” The Hertz Corp. v.
18 Friend, – U.S. –, 130 S. Ct. 1181, 1186, 175 L.Ed.2d 1029 (Feb. 23, 2010) (internal
19 citations omitted).

20 14. As of the date the State Action was filed, and continuing through to the
21 date of filing of this Notice of Removal, ANL was and is incorporated in the United
22 Kingdom, and its principal place of business is in London, England. As such, it is a
23 citizen of the United Kingdom. It publishes the Daily Mail, and operates Mail
24 Online, neither of which are separate juridical entities.

25 15. As of the date the State Action was filed, and continuing through to the
26 date of filing of this Notice of Removal, American Media Inc. (“AMI”) was and is
27 incorporated in the State of Delaware, with its principal place of business in Florida;
28

1 and National Enquirer, Inc. ("NEI"), a wholly owned subsidiary of AMI, was and is
 2 incorporated in Florida, with its principal place of business in Florida. As such, AMI
 3 is a citizen of Delaware and Florida, and ("NEI") is a citizen of Florida. AMI
 4 publishes National Enquirer Magazine, which, as explained above, is not a separate
 5 juridical entity.

6 16. As of the date the State Action was filed, and continuing through to the
 7 date of filing of this Notice of Removal, Defendant Gawker Media, LLC was and is a
 8 Delaware limited liability company, with its principal place of business in the State
 9 of New York. The sole member of Gawker Media, LLC, is Gawker Media Group,
 10 Inc., which is formed pursuant to the laws of the Cayman Islands, with its principal
 11 place of business in the Cayman Islands. As such, Gawker Media, LLC is a citizen
 12 of the Cayman Islands. See Johnson v. Columbia Props. Anchorage, LP, 437 F.3d
 13 894, 899 (9th Cir. 2006) ("an LLC is a citizen of every state of which its
 14 owners/members are citizens"). Gawker Media, LLC, operates a website under the
 15 name "Gawker," which is not a separate juridical entity.

16 17. Defendants all maintain their corporate headquarters outside of
 17 California. The majority of the executive officers and directors work and direct the
 18 operations of each entity from outside of California. Accordingly, for purposes of
 19 jurisdiction under 28 U.S.C. § 1332(a), Defendants are not citizens of the State of
 20 California, and were not citizens of the State of California when the State Action was
 21 filed; none of Defendants' high level officers direct, control, and/or coordinate the
 22 operations of Defendants from California.

23 18. Pursuant to 28 U.S.C. § 1441(a), "[f]or purposes of removal ... the
 24 citizenship of defendants sued under fictitious names shall be disregarded." Thus,
 25 the fictitiously named defendants "Does 1 to 100" in this action shall be disregarded
 26 for determining diversity jurisdiction, and there is complete diversity between the
 27 named parties for purposes of removal.
 28

19. Plaintiffs allege the amount in controversy in this matter exceeds the sum or value of \$75,000. Specifically, by their Complaint, Plaintiffs seek **in excess of \$10 million in damages**. (Compl., Prayer for Relief, ¶¶ 1, 4, 7, 11.) In measuring the amount in controversy for purposes of diversity jurisdiction, “a court must assume that the allegations of the complaint are true and assume that a jury will return a verdict for the plaintiff on all claims made in the complaint.” Kenneth Rothschild Trust v. Morgan Stanley Dean Witter, 199 F. Supp. 2d 993, 1001 (C.D. Cal. 2002) (quotations omitted).

20. As there is complete diversity of citizenship and the amount in controversy exceeds \$75,000, exclusive of interest and costs, this Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a), and it is removable under 28 U.S.C. § 1441.

MISCELLANEOUS

21. Because the State Action is pending in Orange County Superior Court, removal of the State Action to this District Court is proper under 28 U.S.C. §§ 1441(a), 1446(a).

22. The following constitutes all of the process, pleadings, or orders received or served by ANL or otherwise found in the State Action court file and available to ANL at the time of the filing of this removal. True and correct copies are attached of the following:

Ex. A. Summons and Complaint for Damages;

Ex. B. The following proofs of service:

- Proof of Service of Summons for Gawker Media;
- Proof of Service of Summons for Gawker;
- Proof of Service of Summons for American Media Inc.; and

- Proof of Service of Summons for National Enquirer Magazine;

Ex. C. Civil Case Cover Sheet;

Ex. D. Notice of Case Assignment;

Ex. E. The following documents comprising the case information package:

- Alternative Dispute Resolution (ADR) Information Package;
- Alternative Dispute Resolution (ADR) Stipulation;
- Notice to Attorneys and Litigants re New Procedures for Expedited Jury Trials in Civil Cases;
- Expedited Jury Trial Information Sheet; and
- Notice re: Bookmarking of Exhibits on Electronically Filed Documents ;

Ex. F. Application and Order for Appointment of Guardian Ad Litem – Civil;

Ex. G. Notice of Confirmation of Electronic Filing

Ex. H. Payment Receipt for Complaint or Other First Paper

Ex. I. Answer of Defendant Associated Newspapers Ltd. to Plaintiffs' Unverified Complaint for Damages; and

Ex. J. Answer of Defendant Gawker Media, LLC to Plaintiffs' Unverified Complaint for Damages.

23. Concurrently with the filing of this Notice, ANL provided written notice of removal to all adverse parties and has filed a copy of this Notice of Removal with the Clerk of the Orange County Superior Court.

1 24. ANL has good and sufficient defenses to this action, and does not waive
2 any defenses, jurisdictional or otherwise, by the filing of this Notice.

3 25. Based on the foregoing, ANL hereby removes this action from the
4 Orange County Superior Court to this Court, and requests that further proceedings be
5 conducted in this Court as provided by law.
6

7 DATED: September 9, 2011

DAVIS WRIGHT TREMAINE LLP
KELLI L. SAGER
KAREN A. HENRY
JONATHAN L. SEGAL

10
11 By: Kelli L. Sager / KAH
12 Kelli L. Sager
13

14 Attorneys for Defendant
15 ASSOCIATED NEWSPAPERS LTD.
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EXHIBIT A

SUM-100

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: GAWKER MEDIA, an unknown business entity;
(AVISO AL DEMANDADO): GAWKER, an unknown business entity; AMERICAN
 MEDIA INC., a Delaware Corporation; NATIONAL
 ENQUIRER, INC., a Florida Corporation;
 NATIONAL ENQUIRER MAGAZINE, an unknown business entity; ASSOCIATED
 NEWSPAPERS, LTD., an unknown business entity; DAILY MAIL, an unknown
 business entity, MAIL ONLINE, an unknown business entity, and Does 1
 through 100 inclusive,
YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):
 TAMMY TOUSIGNANT, TOM TOUSIGNANT, TANNER TOUSIGNANT, and CONNOR
 TOUSIGNANT, a minor by and through his Guardian Ad Litem, TAMMY
 TOUSIGNANT,

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ELECTRONICALLY FILED
 Superior Court of California,
 County of Orange

08/01/2011 at 02:21:00 PM
 Clerk of the Superior Court
 By Sonya Herrera Wilson, Deputy Clerk

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es):

Superior Court of California, County of Orange - Central Justice Center
 700 Civic Center Drive West, Santa Ana, California 92701

CASE NUMBER:
(Número)

30-2011-00495811-CU-DF-CJC

Judge Linda Marks

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Todd F. Nevell, SBN: 170054; 301 N. Lake Avenue, 7th Floor, Pasadena, California 91101; (626) 793-3900

DATE: 08/01/2011
(Fecha)

ALAN CARLSON, Clerk of the Court

Clerk, by
(Secretario)

Sonya Herrera Wilson

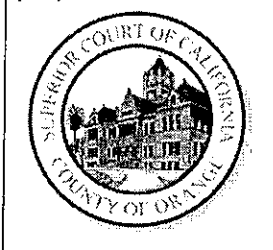
Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

Sonya Herrera Wilson

[SEAL]



NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
 2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):

4. ☐ by personal delivery on (date):

Page 1 of 1

Form Adopted for Mandatory Use
 Judicial Council of California
 SUM-100 [Rev. July 1, 2009]

SUMMONS

Code of Civil Procedure §§ 412.20, 465
www.courtinfo.ca.gov

American LegalNet, Inc.
www.FormsWorkflow.com

009

Exhibit A

1 Harry Frank Scolinos, Esq. SBN: #62704
 Todd F. Nevell, Esq. SBN: #170054
 2 **SCOLINOS, SHELDON & NEVELL**
 301 North Lake Avenue, 7th Floor
 3 Pasadena, California 91101
 Telephone: (626) 793-3900
 4 Facsimile: (626) 568-0930

5 Attorneys for Plaintiffs, TAMMY TOUSIGNANT, TOM
 TOUSIGNANT, TANNER TOUSIGNANT and CONNOR
 6 TOUSIGNANT, a minor

7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 8 **FOR THE COUNTY OF ORANGE**
 9

10 TAMMY TOUSIGNANT, TOM
 TOUSIGNANT, TANNER TOUSIGNANT,
 11 and CONNOR TOUSIGNANT, a minor by
 and through his Guardian Ad Litem,
 12 TAMMY TOUSIGNANT,

13 Plaintiffs,

14 v.

15 GAWKER MEDIA, an unknown business
 entity; GAWKER, an unknown
 16 business entity; AMERICAN MEDIA INC.,
 a Delaware Corporation; NATIONAL
 17 ENQUIRER, INC., a Florida Corporation;
 NATIONAL ENQUIRER MAGAZINE,
 18 an unknown business entity; ASSOCIATED
 NEWSPAPERS, LTD., an unknown
 19 business entity; DAILY MAIL, an
 unknown business entity, MAIL ONLINE,
 20 an unknown business entity, and Does 1
 through 100 Inclusive,

21 Defendants.
 22

CASE NO.: 30-2011-00495811-CU-DF-CJC

COMPLAINT FOR DAMAGES FOR:

1. DEFAMATION BY LIBEL
2. FALSE LIGHT INVASION OF PRIVACY
3. DEFAMATION BY LIBEL
4. FALSE LIGHT INVASION OF PRIVACY
5. MISAPPROPRIATION OF IMAGE AND LIKENESS (CIV. CODE § 3344)
6. INVASION OF PRIVACY

23 Plaintiffs Tammy Tousignant, Tom Tousignant, Tanner Tousignant and Connor
 24 Tousignant, a minor by and through his Guardian Ad Litem Tammy Tousignant ("Plaintiffs") for
 25 their Complaint against Defendants Gawker Media and Gawker (collectively "Gawker"),
 26 American Media, Inc., National Enquirer, Inc. and *National Enquirer Magazine* (collectively
 27 "National Enquirer"), Associated Newspapers, Ltd., *Daily Mail* and *MailOnline* (collectively
 28

1 "Daily Mail"), and Does 1-100, alleges as follows:

2 INTRODUCTION

3 1. Freedom of the press is a valuable right but it is not a license for gossipy tabloids to
 4 tar and feather innocent citizens and destroy their reputations for the rags' profit. Given the
 5 nearly instantaneous and world-wide availability of on-line and print articles, one would
 6 expect more rigorous standards to be imposed on those who report news, particularly where such
 7 "news" involves disclosing very personal and private details of the lives of non-public figures.
 8 These days, the harm in getting the details wrong is exponentially greater as it is a virtual certainty
 9 that the inaccuracies will be re-published across the globe within minutes of the initial
 10 publication. And just as quickly, particularly where those details are salacious and scandalous,
 11 reputations can be ruined, relationships undermined and lives turned upside down as time,
 12 energy and money is spent trying to undo or minimize the damage done by reckless and shoddy
 13 journalism. Once unleashed on the on-line community, a story reporting scandal spreads like
 14 wildfire and much damage is done before it can be contained. So it is here.

15 THE PARTIES

16 2. Plaintiffs, Tammy Tousignant, Tom Tousignant, Tanner Tousignant and Connor
 17 Tousignant, a minor appearing by and through his Guardian Ad Litem and mother Tammy
 18 Tousignant, are and at all times referenced herein, individuals and residents of Brea, California,
 19 and so resided at all time pertinent to the facts and circumstances alleged in this complaint. The
 20 Tousignants are private citizens. Tom and Tammy were married in 1992 and have two sons
 21 together, Tanner, born in August 1992 and Connor, born in July 1997.

22 3. In the 1980's and 1990s, Tammy Tousignant worked as a flight attendant in the
 23 private aircraft industry. From 1987 to 1999 she worked for actor and politician Arnold
 24 Schwarzenegger as a flight attendant on his private aircraft. At no time was Tammy ever
 25 employed at Schwarzenegger's home or as a member of Schwarzenegger's household staff.
 26 Tammy has not worked for Schwarzenegger in any capacity since 1999.

27 4. Upon information and belief, Plaintiff alleges that Gawker and Gawker
 28 Media (collectively "Gawker") are business entities, forms unknown, which have their principle

1 places of business in New York, NY. Gawker is registered to do business in California and is
 2 responsible for the publication and contents of Gawker.com. Gawker is a gossip, news and
 3 entertainment site which claims a collective audience of 20 million US readers and is disseminated
 4 and distributed and made available online, throughout the United States, including in the State of
 5 California and the County of Orange.

6 5. Upon information and belief, Plaintiff alleges that American Media, Inc. is
 7 incorporated in Delaware and that its wholly owned subsidiary National Enquirer, Inc. is
 8 incorporated in Florida, both have their principal places of business in Florida. Both are registered
 9 to do business in California, and both maintain an office for the conduct of business in Santa
 10 Monica, California. Upon information and belief, Plaintiffs allege that both are responsible for the
 11 publication of the *National Enquirer Magazine* and *Nationalenquirer.com*, tabloid publications
 12 that are disseminated and distributed, and made available online, by Defendants throughout the
 13 United States, including in the State of California and the County of Orange.

14 6. Upon information and belief, Plaintiff alleges that the *Daily Mail* and *MailOnline*
 15 are wholly owned subsidiaries of Associated Newspapers Limited (collectively "Daily Mail").
 16 Associated Newspapers Limited publishes the worldwide online newspaper know as
 17 www.dailymail.co.uk (or *MailOnline*) as well as the print paper known as the *Daily Mail*. The
 18 print version of the *Daily Mail* is sold in the United States, in California and in Orange County
 19 specifically, which consumers pay for the paper and those monies paid by Californians and
 20 Orange County residents eventually reach Associated Newspapers Limited. In 2010, *Daily Mail*
 21 opened a Los Angeles Bureau of *MailOnline* for the purpose of engaging in commerce related to
 22 celebrity and tabloid photographs and new stories in Southern California. Said Defendants
 23 operate their Los Angeles Daily Mail Online Bureau in Inglewood, California and have a 310
 24 phone number for consumers to call with gossip leads or photos to offer Defendants and the
 25 number is registered. In court filings, including *Mavrix Photo, Inc. v. Daily Mail of London, dba*
 26 *Associated Newspapers Limited*, Case No. CV 10-9045 (United States District Court, Central
 27 District), *Daily Mail* admits that they transact business in California, opened an office in
 28 Inglewood, California in May 2010, include advertisements for products and services for

1 businesses in California, that the *MailOnline* website is the second largest English language
 2 newspaper website in the world, that one third of users who access *MailOnline* are located in the
 3 United States and that California courts are an appropriate forum for disputes between *Daily Mail*
 4 and California residents.

5 7. Upon information and belief, Plaintiff alleges that *Gawker*, *National Enquirer* and
 6 *Daily Mail* each have a wide circulation, and is read and seen by a great number of people in the
 7 geographic areas in which they are published, circulated and sold including, but not limited to, this
 8 State and this County, throughout the United States, and the world. Plaintiffs are further informed
 9 and believe and based thereon allege that each of the Defendants have purposefully availed
 10 themselves of the benefits and protections of this State by, among other things, selling and
 11 soliciting sales of their publications in this State, actively engaging in reporting activities
 12 pertaining to events in this State, and publishing articles directed at residents of this State, as
 13 further alleged herein.

14 8. Upon information and belief, plaintiffs allege that venue is proper in this County
 15 under Code of Civil Procedure § 395, et. seq.

16 9. Upon information and belief, Plaintiffs allege that Defendants, and each of them,
 17 were the agents, employees, partners, joint-venturers, co-conspirators, owners, principals, and
 18 employers of the remaining Defendants, and each of them, and are, and at all times herein
 19 mentioned were, acting within the course and scope of that agency, partnership, employment,
 20 conspiracy, ownership, or joint venture. Upon information and belief, Plaintiffs allege further that
 21 the acts and conduct herein alleged of each such Defendant were known to, authorized by, and/or
 22 ratified by the other Defendants, and each of them.

23 10. Upon information and belief, Plaintiffs allege that the fictitiously named
 24 defendants sued herein as Does 1 through 100, inclusive, and each of them, were in some manner
 25 responsible or legally liable for the actions, events, transactions and circumstances alleged herein.
 26 The true names and capacities of such fictitiously named defendants, whether individual,
 27 corporate, associate or otherwise, are presently unknown to Plaintiffs and Plaintiffs will seek leave
 28 of Court to amend this Complaint to assert the true names and capacities of such fictitiously

1 named defendant herein shall also refer to the Doe defendants, and each of them.

2 THE 2003 ARTICLES AND FALSE STATEMENTS

3 11. In October 2003, during Arnold Schwarzenegger's run for Governor of the State of
4 California, articles were published in the *Daily Mail* and *National Enquirer* which falsely claimed
5 that Tammy Toutsignant had been involved in an extra-marital affair with Schwarzenegger and that
6 Schwarzenegger – and not Tammy's long-time husband Tom – was the father of her then 11 year-
7 old son Tanner.

8 12. On or about October 4, 2003, the *Daily Mail* published an article under the headline
9 "DARK SIDE OF ARNIE", authored by Wendy Leigh. As used herein, the "Article" refers to the
10 cover headline, text and cover photograph as well as the interior text, headlines, sub-headlines,
11 captions and photographs appearing with the article. A true and correct copy of the October 4,
12 2003 *Daily Mail* article is attached hereto as Exhibit I and made a part hereof. The Article
13 contained a number of false and defamatory statements about the Toutsignants, including, but not
14 limited to, the following:

15 (a) the article falsely stated that Tammy Toutsignant and Arnold Schwarzenegger had
16 engaged in an extramarital affair;

17 (b) the article falsely stated that Schwarzenegger had "cheated on Maria [] with
18 Tammy Baker Toutsignant";

19 (c) the article falsely stated that "Everyone knew that [Toutsignant] was Arnold's
20 lover";

21 (d) the article falsely stated that "Although she was married at the time of their first
22 meeting – to pilot Tom Toutsignant – by 1996 she was separated from her husband and living with
23 her son Tanner, then three years old";

24 (e) the article falsely stated that "Today at 11, [Tanner] bears a remarkable
25 resemblance to Arnold Schwarzenegger";

26 (f) the article falsely stated that Tammy "routinely boasted that 'her baby was
27 Arnold's'";

28 (g) the article falsely stated that "By the late Nineties, Maria Shriver allegedly got

1 wind of Tammy's affair with Arnold, and arranged for her to be sacked from her company, Elite.

2 13. On or about September 13, 2003 and again on October 6, 2003, the *National*
 3 *Enquirer*, published an article on *The National Enquirer Online* under the headline "ARNOLD
 4 SCHWARZENEGGER'S LOVE CHILD SCANDAL". As used herein, the "Article" refers to the
 5 cover headline, text and cover photograph as well as the interior text, headlines, sub-headlines,
 6 captions and photographs appearing with the article. A true and correct copy of the September 13,
 7 2003, *National Enquirer* article is attached hereto as Exhibit 2 and made a part hereof. The
 8 Article contained a number of false and defamatory statements about the Tousignants, including,
 9 but not limited to, the following:

10 (a) the article falsely stated that "Tammy Baker-Tousignant has told pals that Arnold
 11 secretly fathered her son while he was married to Maria Shriver";

12 (b) the article falsely stated that "Tammy and Arnold were very close a decade ago";

13 (c) the article falsely stated that "While Arnold was married he was smitten by her
 14 bubbly personality. She was equally smitten by his celebrity status."

15 (d) the article falsely stated that "not only was there an affair between Arnold and the
 16 [sic] Tammy but that Tammy claimed that her son was father by Arnold";

17 (e) the article falsely stated that "the father's name was blank" on Tanner Tousignant's
 18 birth certificate;

19 (f) the article falsely stated that "[E]ven the woman herself admits that over the years
 20 many people have commented to her on how much her son bears a physical resemblance to
 21 Arnold";

22 (g) the article falsely stated that "The Schwarzenegger love child claim has also been
 23 made by several other women who knew Tammy at the time";

24 (h) the article falsely stated that "A number of years ago rumors of Arnold's affair with
 25 Tammy began to leak out publicly. [] By the late 1990's, Maria Shriver got wind of it and
 26 arranged for Tammy to lose her job.";

27 (i) the article also included a statement that Reporter Wendy Leigh investigated the
 28 love child story for the London paper The Daily Mail and falsely stated that "it's right on."

14. *The Enquirer* article also stated that "Although Tammy dismisses the allegations that Arnold is the father of her oldest son, she hasn't come forward yet with the DNA test that proves it isn't true. Until she does, the verdict is out on whether California's Republican candidate for governor fathered a love child."

15. In response to the false allegations contained in the *Daily Mail* and the *Enquirer* articles, Tammy voluntarily submitted to a polygraph test which confirmed that she was never involved in a sexual relationship of any kind with Schwarzenegger. Furthermore, Tammy, Tom and Tanner all submitted to genetic testing which confirmed that Tom – and not Schwarzenegger – was Tanner's biological father.

16. Thereafter, on October 6, 2003, *Daily Mail* and the *Enquirer* were served with a Demand for Correction letter in which they were asked to retract and correct their false claims about the Tousignants. In response, the *Enquirer* first claimed that a retraction was not warranted before removing the posting on or about October 8, 2003.

THE 2011 ARTICLES AND FALSE STATEMENTS

17. Some eight years later, on May 17, 2011, the *Los Angeles Times* reported that Arnold Schwarzenegger had admitted to fathering a child with "a former household staff member more than a decade ago." While the staff member was not identified by name, she was described as having "worked for the family for 20 years, retiring in January 2011".

18. Thereafter, ignoring the obvious differences between Tammy Tousignant and the description of the mother of the so-called "love child" in the *Los Angeles Times* article, on May 17, 2011 the gossip website *Gawker* ran an "Exclusive" article by John Cook under the heading "Is This Arnold Schwarzenegger's Love Child?" in which it was falsely reported that Tammy Tousignant was the "longtime member of [Schwarzeneggers'] household staff" referred to in the *Los Angeles Times* article and that Tanner Tousignant was the illegitimate "love child" of Schwarzenegger mentioned in that same article. *Gawker* posted photographs of Tammy and Tanner (pulled from his high school yearbook) next to the bold headline: "DADDY?" As used herein, the "Article" refers to the cover headline, text and cover photograph as well as the interior text, headlines, sub-headlines, captions and photographs appearing with the article. A true and

1 correct copy of the May 17, 2011, *Gawker* article is attached hereto as Exhibit 3 and made a part
 2 hereof. The Article contained a number of false and defamatory statements about the Tousignants,
 3 including, but not limited to, the following:

4 (a) the article falsely stated that Tanner Tousignant was the out-of-wedlock son
 5 referred to in the *Los Angeles Times* article and posts a photograph of Tanner with the false claim:
 6 "News of Arnold Schwarzenegger having fathered a child with a member of his household staff
 7 more than a decade ago shouldn't come as a surprise. The alleged existence of the out-of-wedlock
 8 son, including his name and his mother's name, was reported by the London *Daily Mail* in 2003.
 9 That's him playing high school football." ... "The boy, Tanner Tousignant, graduated from Brea

10 Olinda High School in Brea, Calif., last year ..." ... "Even more odd, his brother is named
 11 Connor, which is the name of the name (sic) hero in the *Terminator* series" (emphasis added);

12 (b) the article falsely stated that "in 2003, the *Times* was looking into the Tousignant
 13 love-child story, but sat on it";

14 (c) the article falsely stated that Tammy Tousignant was the household staff member
 15 who had an out-of-wedlock son with Schwarzenegger referred to in the *Los Angeles Times* article:
 16 "Today's *Times* story, which doesn't name Tousignant, describes her as a 'longtime member of
 17 [the Schwarzeneggers'] household staff' who retired in January after 20 years" (emphasis added);

18 (d) the article falsely stated that "The *Times* story originally reported that the
 19 anonymous child bore the same distinctive name as one of Schwarzenegger's film characters";

20 (e) the article falsely stated that "In other words, circumstantial evidence – as well as
 21 common sense – indicates that the illegitimate son that Schwarzenegger admitted having fathered
 22 this morning is the same one he was reported to have fathered in 2003: Tanner Tousignant".

23 19. In addition to the above, *Gawker* republished portions of the 2003 *Daily Mail* and
 24 *National Enquirer* stories which included the false statements as set forth above.

25 20. The statements published by *Gawker* claiming that Tammy Tousignant was the
 26 longtime member of the household staff with whom Schwarzenegger had recently admitted
 27 fathering a child is false and defamatory, as is the statement claiming that Tanner Tousignant is
 28 Schwarzenegger's "love child". Tammy Tousignant has never been a member of

1 Schwarzenegger's household staff. As stated in the *Daily Mail* article cited by Gawker, she
 2 stopped working for Schwarzenegger more than a decade ago and clearly could not have been the
 3 same women referenced in the *Los Angeles Times* article. Tanner Tousignant is not
 4 Schwarzenegger's illegitimate son, he is the biological son of Tom Tousignant.

5 21. Later that same day (May 17, 2011) *Gawker* ran an UPDATE to the original
 6 "Exclusive" article by John Cook. As used herein, the "Article" refers to the cover headline, text
 7 and cover photograph as well as the interior text, headlines, sub-headlines, captions and
 8 photographs appearing with the article. A true and correct copy of the May 17, 2011 "UPDATE"
 9 *Gawker* article is attached hereto as Exhibit 4 and made a part hereof. The Article contained a
 10 number of false and defamatory statements about the Tousignants, including, but not limited to,
 11 the following:

12 (a) the article printed quotes from Wendy Leigh, the Schwarzenegger biographer and
 13 *Daily Mail* reporter who broke the love-child story in 2003, and falsely stated that Tanner
 14 Tousignant was one of two illegitimate children of Schwarzenegger: "Which means there are two"
 15 ... "Leigh stands by her 2003 account of Schwarzenegger being the father of Tanner Tousignant"
 16 (emphasis added);

17 (b) the article falsely stated that "So while he's [Tanner] still a Schwarzenegger love-
 18 child, he's not the latest Schwarzenegger love-child".

19 22. The statements made by Wendy Leigh of the *Daily Mail* and published by *Gawker*
 20 in its UPDATED article claiming that Tanner Tousignant is a Schwarzenegger love-child were
 21 false and defamatory.

22 23. Again that same day (May 17, 2011) *Gawker* ran a "SECOND UPDATE" to its
 23 original "Exclusive" story by John Cook under the heading "Is This Arnold Schwarzenegger's
 24 Love Child?". As used herein, the "Article" refers to the cover headline, text and cover
 25 photograph as well as the interior text, headlines, sub-headlines, captions and photographs
 26 appearing with the article. A true and correct copy of the May 17, 2011 "SECOND UPDATE"
 27 *Gawker* article is attached hereto as Exhibit 5 and made a part hereof. Despite being informed by
 28 the *Los Angeles Times* that their story did not contain details about the son's name and that

1 *Gawker* had misidentified the mother and son, *Gawker* continued to publish photographs of
 2 Tanner Tousignant under the bold heading "DADDY" and the SECOND UPDATED Article
 3 continued to contain the false and defamatory statements about the Tousignants as set forth above.

4 24. The statements made by Wendy Leigh of the *Daily Mail* and published by *Gawker*
 5 in its SECOND UPDATED article claiming that Tanner Tousignant is a Schwarzenegger love-
 6 child were false and defamatory.

7 25. On May 18, 2011, *Gawker Media* was served with a Demand for Correction letter
 8 by the Tousignant's in which *Gawker* was asked to retract and correct their false claims about the
 9 Tousignants. In response, *Gawker* refused to remove the false statements and postings from its
 10 website. Later, *Gawker* maintained photographs of Tanner Tousignant and Tammy Tousignant
 11 posted next to the heading "DADDY", while simply striking through some of the original
 12 defamatory statements which were still visible for their readers. A true and correct copy of
 13 *Gawker's* response to the Demand for Correction is attached hereto as Exhibit 6 and made a part
 14 hereof.

15 26. Later that same day (May 18, 2011), *Gawker* ran an article by Max Read under the
 16 heading "Are There Two Schwarzenegger Love Children?" which identified by name the women
 17 who was the subject of the *Los Angeles Times* article. As used herein, the "Article" refers to the
 18 cover headline, text and cover photograph as well as the interior text, headlines, sub-headlines,
 19 captions and photographs appearing with the article. A true and correct copy of the May 18, 2011
 20 *Gawker* article is attached hereto as Exhibit 7 and made a part hereof. The Article contained
 21 additional of false and defamatory statements about the Tousignants, including, but not limited to,
 22 the following:

23 (a) the heading of the article was false and misleading in that *Gawker* knew that they
 24 had misidentified the Tousignants as the subject of the *Los Angeles Times* article;

25 (b) the article stated "What does that mean for our earlier story identifying a former
 26 flight attendant name Tammy Tousignant as the mother of Schwarzenegger's child? We were
 27 incorrect to identify Tammy's son, Tanner Tousignant, as the subject of the *Los Angeles Times*
 28

1 story.", yet goes on to falsely state that "Tanner could be Schwarzenegger's son" (emphasis
2 added);

3 (c) the article falsely states that Tanner was one of two "love-children" born to
4 Schwarzenegger.

5 27. Again, the statements made by Wendy Leigh of the *Daily Mail* and published by
6 *Gawker* in its claims that Tanner Tousignant is a Schwarzenegger love-child and that Tammy
7 Tousignant had an out-of-wedlock child with Schwarzenegger were false and defamatory.

8 28. After *Gawker* refused to print a complete correct and retraction, on May 20, 2011
9 the *Los Angeles Times* ran an article under the heading "Schwarzenegger child: How *Gawker*
10 named the wrong 'baby mama'", which included the following:

11 "In a week in which TV stations and other news outlets tripped over themselves
12 to chase the story, frequently looking a bit foolish, the gossip site *Gawker* stood
13 out. The website helped expand the noxious cloud with a story that combined
14 extra-thin reporting and mistaken assumptions, leading to the misidentification
(though with great bravado) of Schwarzenegger's supposed mistress and 'love
child.'

15 Reporter John Cook made the faulty identification in a post that included photos
16 of the purported mistress and supposed out-of-wedlock child. The basic problem
(though there were many others) was that the individuals named by *Gawker*
17 bore no meaningful resemblance, literal or figurative, to the illicit partner and
child Schwarzenegger acknowledged Monday to the *Los Angeles Times*.

18 ...

19 I emailed Cook Thursday about his foul-up and he told me *Gawker* would pull down
20 the post and issue a "statement" ... 'I'll just say I whiffed and I'm obviously quite
embarrassed about it and wish we hadn't published the story the way we did'"

21 A true and correct copy of the May 20, 2011 *Los Angeles Times* article is attached hereto
22 as Exhibit 9 and made a part hereof.

23 29. Thereafter, on or about May 23, 2011, *Gawker* posted an article under the heading
24 "Arnold Schwarzenegger's Love Child: A Retraction" in which it admitted that that their story
25 linking the Tousignants to the *Los Angeles Times* story was wrong and contained false statements.
26 As used herein, the "Article" refers to the cover headline, text and cover photograph as well as the
27 interior text, headlines, sub-headlines, captions and photographs appearing with the article. A true
28 and correct copy of the May 23, 2011 *Gawker* article is attached hereto as Exhibit 8 and made a

1 part hereof. However, the article stops short of a complete retraction by adding: "We haven't
 2 seen the results of the [paternity] test, and we have no idea who is right: Tousignant or Wendy
 3 Leigh. But in light of the fact that we mistakenly identified Tousignant as the subject of the *Los*
 4 *Angeles Times* story ... we have decided to err on the side of caution and take the post down."

5 30. In response, the Tousignants offered to provide *Gawker* with the results of
 6 paternity test to conclusively prove that Tom Tousignant – and not Schwarzenegger – is Tanner's
 7 father, but *Gawker* failed to respond to the offer, instead choosing to leave the false and
 8 misleading wording of their "retraction" in place.

9 31. In addition to the above, on May 18, 2011, the *Daily Mail* published an article
 10 under the heading "It is NOT me": Former flight attendant denies she is the mother of Arnold
 11 Schwarzenegger's secret love child" in which it re-published the false claims contained in its 2003
 12 story and posted photographs of the Tousignants, including their minor son Connor, without their
 13 permission or consent. As used herein, the "Article" refers to the cover headline, text and cover
 14 photograph as well as the interior text, headlines, sub-headlines, captions and photographs
 15 appearing with the article. A true and correct copy of the May 18, 2011, *Daily Mail* article is
 16 attached hereto as Exhibit 10 and made a part hereof.

17 32. On May 18, 2011, the *Daily Mail* published another article under the heading "The
 18 former employee names as the mother of Arnold Schwarzenegger's love child" in which it again
 19 re-published the false claims contained in its 2003 story and posted photographs of the
 20 Tousignants, including their minor son Connor, without their permission or consent. As used
 21 herein, the "Article" refers to the cover headline, text and cover photograph as well as the interior
 22 text, headlines, sub-headlines, captions and photographs appearing with the article. A true and
 23 correct copy of the May 18, 2011, *Daily Mail* article is attached hereto as Exhibit 11 and made a
 24 part hereof.

25 33. On May 23, 2011, the *Daily Mail* published yet another article on the subject, this
 26 one under the heading "How many more love children are there, Arnie? Schwarzenegger's
 27 biographer says the dark truth about the star is still to emerge..." written by Wendy Leigh. As
 28 used herein, the "Article" refers to the cover headline, text and cover photograph as well as the

interior text, headlines, sub-headlines, captions and photographs appearing with the article. A true and correct copy of the May 23, 2011, *Daily Mail* article is attached hereto as Exhibit 12 and made a part hereof. The article repeated and republished the false and defamatory statements about the Tousignants made in 2003 (as set forth above) and made a number of additional false statements, including, but not limited to:

(a) the article falsely states that Tammy Tousignant had a "long-term liaison" with Schwarzenegger;

(b) the article falsely states that Tammy "routinely boasted that her baby was Arnold's";

(c) the article falsely states that "Arnold's illicit affair with Tammy has always been an open secret in California";

(d) the article falsely states that the 2003 paternity test involving Tanner, Tammy and Tom "didn't specify which of her two sons took the test."

34. The statements and articles published by *Gawker* and *Daily Mail* as set forth above and as contained in the attached articles are demonstrably false. *Gawker* and *Daily Mail* knew the statements were false or at the very least did nothing to verify the truth of the alleged statements claiming the Tanner was Schwarzenegger's "love child" and that Tammy was the household employee involved in an affair with Schwarzenegger. Nevertheless, they intentionally, maliciously and with reckless disregard for the truthfulness of the statements therein, ran the stories anyway.

35. Within hours of the publication of the false statements by *Gawker* and *Daily Mail*, publications worldwide re-published and repeated the false and defamatory statement about the Tousignants resulting in hundreds of articles about Tammy, Tom, Tanner and Connor under such heading as: "Arnold Schwarzenegger's Love Child Revealed?", "Is This Kid Arnold Schwarzenegger's Bastard Love Child?", "Schwarzenegger Had Child With Tousignant A Flight Attendant Resulting In Recent Separation From Shriver", "Tammy Tousignant: Mother of Arnold Schwarzenegger's Love Child?", "Who Is Arnold Schwarzenegger's Love Child? Debate Over Identity Commences", and "Gawker: Another Arnold Schwarzenegger Love Child In OC?".

1 Websites worldwide included photographs of the Tousignant family, including the Tousignant's
 2 youngest son, who was still a minor. Many of the articles and photographs remain on the web at
 3 the time of this filing.

4 36. In addition, news crews and paparazzi converged on the Tousignants quiet Brea
 5 neighborhood. They were inundated with phone calls and messages. They were forced to flee
 6 their house and stay at another location. Tanner was followed. Their online accounts were hacked
 7 into. They were and continue to be the subject of scorn and scrutiny in their own community.
 8 Their reputations have been permanently damaged.

9 37. Tammy Tousignant did not engage in an adulterous affair with Arnold
 10 Schwarzenegger. Tanner Tousignant is not the illegitimate son of Arnold Schwarzenegger. There
 11 is no truth whatsoever to the defendants claims. The reports regarding the Tousignants are entirely
 12 false, clearly defamatory, places the Tousignants in an offensive false light, and should be
 13 repudiated in no uncertain terms.

14 38. Such pernicious accusations against any woman, her son and her family would be
 15 outrageous and destructive. However, such an accusation is being made against a family of
 16 private citizens who have been unwittingly thrust into the limelight in an entirely negative light,
 17 forever labeling Tammy as a adulteress and a cheat and Tanner as the "bastard" child of
 18 Schwarzenegger and the product of an adulterous affair between his mother and her employer. All
 19 in an effort by the defendants tabloids to produce windfall profits, truth be damned.

20 39. Any reader and any person who sees the publications and postings and anyone who
 21 sees the headlines and/or first lines of text as indicated above, would reasonably understand them
 22 to mean that Tammy Tousignant cheated on her husband Tom through an adulterous affair with
 23 Arnold Schwarzenegger and that her son Tanner is an illegitimate child from that relationship,
 24 rather than the biological son of Tom Tousignant. This impression is conveyed by each of the
 25 cover headlines, cover photographs, inside headlines and first line of text, standing alone or taken
 26 in combination. Further, because of the emphasis on the cover and in the headlines even a reader
 27 who reads the entire could easily be left with the misimpression that Tammy had an affair with
 28 Schwarzenegger and that Tanner is Schwarzenegger's illegitimate son. All of the statements,

1 headlines, photographs, and implications and impressions described in the preceding paragraphs
2 are referred to herein collectively as the "Statements."

3 40. The *Daily Mail* and *National Enquirer* remain liable for the foreseeable
4 republication of their 2003 statements in 2011. Furthermore, *Gawker* and *Daily Mail* are liable for
5 repeating or otherwise republishing defamatory matter and is subject to liability as if they had
6 originally published it. Each time a slanderous or libelous matter is communicated to a new
7 person, a new publication has occurred, which is a separate basis for liability. Thus, one who – as
8 here – reprints or circulates a slanderous or libelous writing already published by another is subject
9 to liability to the same extent as if they had originally published it. It is no defense that the second
10 publisher names the author or original publisher of the libel or slander.

11 FIRST CAUSE OF ACTION

12 [For Libel]

13 [By Tanner Tousignant Against Defendants, American Media, Inc.,
14 National Enquirer, Inc. and *National Enquirer Magazine*
15 (collectively "National Enquirer"), Associated Newspapers, Ltd.,
16 *Daily Mail* and Mail Online (collectively "Daily Mail")
17 and Does 1-100]

18 41. Plaintiffs repeat and reallege each and every allegation contained in paragraphs 1
19 through 40, inclusive, as though fully set forth herein.

20 42. The 2003 Articles and publications by the *Daily Mail* and *National Enquirer* as a
21 whole and each of the statements and their implications and impressions are false.

22 43. In response to the false allegations contained in the *Daily Mail* and *National*
23 *Enquirer* articles, the Tousignants produced a copy of Tanner's birth certificate listing Tom as his
24 father and voluntarily submitted to a polygraph test confirming that Tammy was never involved in
25 a sexual relationship with Schwarzenegger. In addition, Tammy, Tom and Tanner all underwent
26 genetic testing which confirmed that Tom – and not Schwarzenegger – was Tanner's biological
27 father.

28 44. The Articles as a whole and each of the Statements and their implications and
impressions are of and concerning Tanner Tousignant and persons who read the Article reasonably
understood the references therein to be Tanner.

1 45. The Articles as a whole and each of the Statements and their implications and
2 impressions are defamatory on their face of Tanner Tousignant and expose him to hatred,
3 contempt, ridicule and obloquy, and/or cause him to be shunned or avoided.

4 46. Upon information and belief, plaintiff Tanner Tousignant alleges that the Articles
5 as a whole and each of the Statements and their implications and impressions were made by each
6 of the Defendants with knowledge of their falsity or with reckless disregard for their truth or
7 falsity.

8 47. Upon information and belief, plaintiff Tanner Tousignant, alleges that the Articles
9 as a whole and each of the Statements and their implications and impressions were made by each
10 of the Defendants in a grossly irresponsible manner and negligently, with want of due care.

11 48. Plaintiff alleges that Defendants are not protected under or subject to the provisions
12 of California Civil Code section 48a. Nevertheless, and without conceding the application of that
13 statute to these Defendants or this publication, Plaintiff alleges that a demand for a retraction of
14 the Article and each of the Statements and their implications and impressions was made to each of
15 the defendants.

16 49. As a direct and proximate result of the above-described conduct by Defendants,
17 plaintiff Tanner Tousignant has suffered general and special damages in an amount to be
18 determined at trial.

19 50. The conduct of the defendants as described above was made with malice and intent
20 to injure plaintiff's reputation and with substantial certainty that the publications would
21 irreparably cause injury to plaintiff's reputation. Defendants published the false statements in the
22 pursuit of windfall tabloid profits and at the expense of plaintiff. As such, punitive damages
23 should be awarded to against the defendants to deter future wrongdoing and to deter future
24 misconduct by said defendants and other potential wrongdoers who would engage in such
25 intentional, malicious and reckless tabloid journalism, injuring the reputation of an innocent
26 private figure in the pursuit of windfall tabloid profits.

27 51. Upon information and belief, plaintiff alleges that, unless enjoined and restrained
28 by the Court, Defendants will republish, repeat and continue to disseminate the Articles and

1 Statements and their implications and impressions, all to the continuing injury of Plaintiff; that
 2 such continued republication, repetition and dissemination of the defamatory and offensive
 3 falsehoods will cause irreparable harm to Plaintiff by damaging his reputation and adversely
 4 affecting his career, business efforts as well as his personal relationships. Upon information and
 5 belief, Plaintiff alleges that he lacks an adequate remedy at law insofar as damages will be very
 6 difficult to calculate for such on-going injuries. By reason of the foregoing, Plaintiff is entitled to a
 7 permanent injunction enjoining and restraining Defendants, and each of them, and all persons
 8 acting in concert with them, from republishing, repeating, distributing or otherwise disseminating
 9 the Article, the Statements or any of their implications and impressions to the extent such are
 10 found in this Action to be false.

11 SECOND CAUSE OF ACTION

12 [For False Light Invasion of Privacy]

13 [By Tanner Tousignant Against Defendants, American Media, Inc.,
 14 National Enquirer, Inc. and *National Enquirer Magazine*
 15 (collectively "National Enquirer"), Associated Newspapers, Ltd.,
Daily Mail and Mail Online (collectively "Daily Mail")
 and Does 1-100]

16
 17 52. Plaintiffs repeat and reallege each and every allegation contained in paragraphs 1
 18 through 51, inclusive, as though fully set forth herein.

19 53. The 2003 Articles as a whole and each of the Statements and their implications and
 20 impressions were widely publicized by the Defendants.

21 54. The Articles as a whole and each of the Statements and their implications and
 22 impressions are false.

23 55. The Articles as a whole and each of the Statements and their implications and
 24 impressions are of and concerning each of the plaintiffs and persons who read the Article
 25 reasonably understood the references therein to the Tousignants.

26 56. To the extent that all or any part of the Articles as a whole or any of the Statements,
 27 their implications and impressions are found not to be defamatory of the Plaintiffs, the Articles,
 28 the Statements, their implications and impressions were understood in such a way as to place the

1 Plaintiffs in a false light which would be highly offensive to a reasonable person.

2 57. Upon information and belief, Plaintiffs allege that the 2003 Articles as a whole and
3 each of the Statements and their implications and impressions were made by each of the
4 Defendants with knowledge of their falsity or with reckless disregard for their truth or falsity.

5 58. Upon information and belief, Plaintiffs allege that the Articles as a whole and each
6 of the Statements and their implications and impressions were made by each of the Defendants in
7 a grossly irresponsible manner and negligently, with want of due care.

8 59. Plaintiff alleges that Defendants are not protected under or subject to the provisions
9 of California Civil Code section 48a. Nevertheless, and without conceding the application of that
10 statute to these Defendants or this publication, Plaintiffs allege that a demand for a retraction of
11 the Articles and each of the Statements and their implications and impressions was made to each
12 of the defendants.

13 60. As a direct and proximate result of the above-described conduct by Defendants,
14 plaintiff Tanner Tousignant has suffered general and special damages in an amount to be
15 determined at trial.

16 61. The conduct of the defendants as described above was made with malice and intent
17 to injure plaintiff's reputation and with substantial certainty that the publications would
18 irreparably cause injury to plaintiff's reputation. Defendants published the false statements in the
19 pursuit of windfall tabloid profits and at the expense of plaintiff. As such, punitive damages
20 should be awarded to against the defendants to deter future wrongdoing and to deter future
21 misconduct by said defendants and other potential wrongdoers who would engage in such
22 intentional, malicious and reckless tabloid journalism, injuring the reputation of an innocent
23 private figure in the pursuit of windfall tabloid profits.

24 62. Upon information and belief, plaintiffs allege that, unless enjoined and restrained
25 by the Court, Defendants will republish, repeat and continue to disseminate the Articles and
26 Statements and their implications and impressions, all to the continuing injury of Plaintiffs; that
27 such continued republication, repetition and dissemination of the defamatory and offensive
28 falsehoods will cause irreparable harm to the Plaintiffs by damaging their reputations and

adversely affecting their careers, business efforts as well as their personal relationships. Upon information and belief, Plaintiff alleges that they lack an adequate remedy at law insofar as damages will be very difficult to calculate for such on-going injuries. By reason of the foregoing, Plaintiffs are entitled to a permanent injunction enjoining and restraining Defendants, and each of them, and all persons acting in concert with them, from republishing, repeating, distributing or otherwise disseminating the Article, the Statements or any of their implications and impressions to the extent such are found in this Action to be false.

THIRD CAUSE OF ACTION

[For Libel]

[By Tammy Tousignant, Tom Tousignant, Tanner Tousignant and Connor Tousignant, by and through his Guardian Ad Litem Tammy Tousignant, against all Defendants and Does 1-100]

63. Plaintiffs repeat and reallege each and every allegation contained in paragraphs 1 through 62, inclusive, as though fully set forth herein.

64. The 2011 Articles as a whole and each of the Statements and their implications and impressions are false.

65. The Articles as a whole and each of the Statements and their implications and impressions are of and concerning the Tousignants and persons who read the Article reasonably understood the references therein to Tanner.

66. The Articles as a whole and each of the Statements and their implications and impressions are defamatory on their face of the Tousignants and expose them to hatred, contempt, ridicule and obloquy, and/or cause them to be shunned or avoided.

67. Upon information and belief, the Tousignants allege that the Articles as a whole and each of the Statements and their implications and impressions were made by each of the Defendants with knowledge of their falsity or with reckless disregard for their truth or falsity.

68. Upon information and belief, the Tousignants allege that the Articles as a whole and each of the Statements and their implications and impressions were made by each of the Defendants in a grossly irresponsible manner and negligently, with want of due care.

69. Plaintiffs allege that Defendants are not protected under or subject to the provisions

1 of California Civil Code section 48a. Nevertheless, and without conceding the application of that
 2 statute to these Defendants or this publication, Plaintiffs allege that a demand for a retraction of
 3 the Article and each of the Statements and their implications and impressions was made to each of
 4 the defendants.

5 70. The *Daily Mail* and *National Enquirer* are liable for the foreseeable republication
 6 of their 2003 statements in the 2011 articles. Furthermore, *Gawker* and *Daily Mail* are liable for
 7 repeating or otherwise republishing defamatory matter and is subject to liability as if they had
 8 originally published it. Each time a slanderous or libelous matter is communicated to a new
 9 person, a new publication has occurred, which is a separate basis for liability. Thus, one who – as
 10 here – reprints or circulates a slanderous or libelous writing already published by another is subject
 11 to liability to the same extent as if they had originally published it. It is no defense that the second
 12 publisher names the author or original publisher of the libel or slander.

13 71. As a direct and proximate result of the above-described conduct by Defendants,
 14 plaintiffs have suffered general and special damages in an amount to be determined at trial.

15 72. The conduct of the defendants as described above was made with malice and intent
 16 to injure plaintiffs reputations and with substantial certainty that the publications would
 17 irreparably cause injury to their reputations. Defendants published the false statements in the
 18 pursuit of windfall tabloid profits and at the expense of the plaintiffs. As such, punitive damages
 19 should be awarded to against the defendants to deter future wrongdoing and to deter future
 20 misconduct by said defendants and other potential wrongdoers who would engage in such
 21 intentional, malicious and reckless tabloid journalism, injuring the reputation of an innocent
 22 private figure in the pursuit of windfall tabloid profits.

23 73. Upon information and belief, plaintiffs allege that, unless enjoined and restrained
 24 by the Court, Defendants will republish, repeat and continue to disseminate the Articles and
 25 Statements and their implications and impressions, all to the continuing injury of the Plaintiffs;
 26 that such continued republication, repetition and dissemination of the defamatory and offensive
 27 falsehoods will cause irreparable harm to Plaintiffs by damaging their reputations as well as his
 28 personal relationships. Upon information and belief, Plaintiffs allege that they lack an adequate

1 remedy at law insofar as damages will be very difficult to calculate for such on-going injuries. By
 2 reason of the foregoing, Plaintiffs are entitled to a permanent injunction enjoining and restraining
 3 Defendants, and each of them, and all persons acting in concert with them, from republishing,
 4 repeating, distributing or otherwise disseminating the Article, the Statements or any of their
 5 implications and impressions to the extent such are found in this Action to be false.

6 **FOURTH CAUSE OF ACTION**

7 [For False Light Invasion of Privacy]

8 [By Tammy Tousignant, Tom Tousignant, Tanner Tousignant
 9 and Connor Tousignant, by and through his Guardian Ad Litem
 Tammy Tousignant, against all Defendants and Does 1-100]

10 74. Plaintiffs repeat and reallege each and every allegation contained in paragraphs 1
 11 through 73, inclusive, as though fully set forth herein.

12 75. The 2011 Articles as a whole and each of the Statements and their implications and
 13 impressions were widely publicized by the Defendants.

14 76. The Articles as a whole and each of the Statements and their implications and
 15 impressions are false.

16 77. The Articles as a whole and each of the Statements and their implications and
 17 impressions are of and concerning each of the plaintiffs and persons who read the Article
 18 reasonably understood the references therein to the Tousignants.

19 78. To the extent that all or any part of the Articles as a whole or any of the Statements,
 20 their implications and impressions are found not to be defamatory of the Plaintiffs, the Articles,
 21 the Statements, their implications and impressions were understood in such a way as to place the
 22 Plaintiffs in a false light which would be highly offensive to a reasonable person.

23 79. Upon information and belief, Plaintiffs allege that the 2011 Articles as a whole and
 24 each of the Statements and their implications and impressions were made by each of the
 25 Defendants with knowledge of their falsity or with reckless disregard for their truth or falsity.

26 80. Upon information and belief, Plaintiffs allege that the Articles as a whole and each
 27 of the Statements and their implications and impressions were made by each of the Defendants in
 28 a grossly irresponsible manner and negligently, with want of due care.

1 81. Plaintiffs allege that Defendants are not protected under or subject to the provisions
2 of California Civil Code section 48a. Nevertheless, and without conceding the application of that
3 statute to these Defendants or this publication, Plaintiffs allege that a demand for a retraction of
4 the Articles and each of the Statements and their implications and impressions was made to each
5 of the defendants.

6 82. The *Daily Mail* and *National Enquirer* are liable for the foreseeable republication
7 of their 2003 statements in the 2011 articles. Furthermore, *Gawker* and *Daily Mail* are liable for
8 repeating or otherwise republishing defamatory matter and is subject to liability as if they had
9 originally published it. Each time a slanderous or libelous matter is communicated to a new
10 person, a new publication has occurred, which is a separate basis for liability. Thus, one who – as
11 here – reprints or circulates a slanderous or libelous writing already published by another is subject
12 to liability to the same extent as if they had originally published it. It is no defense that the second
13 publisher names the author or original publisher of the libel or slander.

14 83. As a direct and proximate result of the above-described conduct by Defendants,
15 plaintiffs Tammy Tousignant, Tom Tousignant, Tanner Tousignant and Connor Tousignant have
16 suffered general and special damages in an amount to be determined at trial.

17 84. The conduct of the defendants as described above was made with malice and intent
18 to injure plaintiffs reputations and with substantial certainty that the publications would
19 irreparably cause injury to their reputations. Defendants published the false statements in the
20 pursuit of windfall tabloid profits and at the expense of the plaintiffs. As such, punitive damages
21 should be awarded to against the defendants to deter future wrongdoing and to deter future
22 misconduct by said defendants and other potential wrongdoers who would engage in such
23 intentional, malicious and reckless tabloid journalism, injuring the reputation of an innocent
24 private figure in the pursuit of windfall tabloid profits.

25 85. Upon information and belief, plaintiffs allege that, unless enjoined and restrained
26 by the Court, Defendants will republish, repeat and continue to disseminate the Articles and
27 Statements and their implications and impressions, all to the continuing injury of Plaintiffs; that
28 such continued republication, repetition and dissemination of the defamatory and offensive

1 falsehoods will cause irreparable harm to the Plaintiffs by damaging their reputations as well as
 2 their personal relationships. Upon information and belief, Plaintiffs allege that they lack an
 3 adequate remedy at law insofar as damages will be very difficult to calculate for such on-going
 4 injuries. By reason of the foregoing, Plaintiffs are entitled to a permanent injunction enjoining and
 5 restraining Defendants, and each of them, and all persons acting in concert with them, from
 6 republishing, repeating, distributing or otherwise disseminating the Article, the Statements or any
 7 of their implications and impressions to the extent such are found in this Action to be false.

8 FIFTH CAUSE OF ACTION

9 [For Misappropriation of Image and Likeness (Civ. Code § 3344)]

10 [By Tammy Tousignant, Tom Tousignant, Tanner Tousignant
 11 and Connor Tousignant, by and through his Guardian Ad Litem
 Tammy Tousignant, against all Defendants and Does 1-100]

12 86. Plaintiffs repeat and reallege each and every allegation contained in paragraphs 1
 13 through 85, inclusive, as though fully set forth herein.

14 87. As set forth above, the Defendants and each of them, used plaintiffs names,
 15 likeness and identities and their photographs without their permission or consent and such use was
 16 false and misleading. The unauthorized use of the names and likenesses of plaintiffs in the sale,
 17 distribution and dissemination of the subject tabloid publications were a violation of Civil Code §
 18 3344.

19 88. Defendants, and each of them, profited from and gain commercial benefit by using
 20 plaintiffs names, likeness, identities and photographs for the purposes of promoting, marketing,
 21 advertising or selling their publications.

22 89. As a direct and proximate result of the above-described conduct by Defendants,
 23 plaintiffs Tammy Tousignant, Tom Tousignant, Tanner Tousignant and Connor Tousignant have
 24 suffered general and special damages in an amount to be determined at trial.

25 90. The privacy interests of Tammy Tousignant, Tom Tousignant, Tanner Tousignant
 26 and Connor Tousignant outweigh any public interest in the subject matter.

27 91. Upon information and belief, plaintiffs allege that each Defendant's conduct was
 28 done with oppression, fraud and malice and that, therefore, the conduct of each Defendant justifies

1 an award of punitive and exemplary damages.

2 92. Upon information and belief, plaintiffs allege that, unless enjoined and restrained
3 by the Court, Defendants will republish, repeat and continue to disseminate the Articles and
4 Statements and their implications and impressions; all to the continuing injury of Plaintiffs; that
5 such continued republication, repetition and dissemination of the defamatory and offensive
6 falsehoods will cause irreparable harm to the Plaintiffs by damaging their reputations as well as
7 their personal relationships. Upon information and belief, Plaintiffs allege that they lack an
8 adequate remedy at law insofar as damages will be very difficult to calculate for such on-going
9 injuries. By reason of the foregoing, Plaintiffs are entitled to a permanent injunction enjoining and
10 restraining Defendants, and each of them, and all persons acting in concert with them, from
11 republishing, repeating, distributing or otherwise disseminating the Article, the Statements or any
12 of their implications and impressions to the extent such are found in this Action to be false.

13 93. Plaintiffs have been required to engage the services of Scolinos, Sheldon & Nevell
14 to prosecute this action, and have agreed to pay said attorneys their reasonable fees in connection
15 therewith. By reasons of said Defendants conduct, Plaintiffs have incurred attorneys' fees and
16 costs, and will continue to incur such fees and costs. Pursuant to Civil Code § 3344(a) the
17 prevailing party in any action under that section shall be entitled to attorneys fees and costs.
18 Should the Court determine that Plaintiff is the prevailing party in this action, Plaintiff is entitled
19 to such reasonable attorneys' fees and costs, in an amount according to proof at trial.

20 SIXTH CAUSE OF ACTION

21 [For Invasion of Privacy]

22 [By Tammy Tousignant, Tom Tousignant, Tanner Tousignant
23 and Connor Tousignant, by and through his Guardian Ad Litem
24 Tammy Tousignant, against all Defendants and Does 1-100]

25 94. Plaintiffs repeat and reallege each and every allegation contained in paragraphs 1
26 through 93, inclusive, as though fully set forth herein.

27 95 Defendants, and each of them, have published false statements claiming that
28 Tammy Tousignant had been involved in an extra-marital affair with Arnold Schwarzenegger and
that Schwarzenegger – and not Tammy's long-time husband Tom – is the father of Tanner

1 Tousignant. In addition, defendants, and each of them, have posted personal family photographs
2 and images of the Tousignants without their permission or consent.

3 96. Plaintiffs had a reasonable expectation of privacy regarding the false statement and
4 their private images.

5 97. The intrusion of Defendants, and each of them, into the private affairs and images
6 of the Tousignants would be highly offensive to a reasonable person;

7 98. As a direct and proximate result of the above-described conduct by Defendants,
8 plaintiffs Tammy Tousignant, Tom Tousignant, Tanner Tousignant and Connor Tousignant have
9 suffered general and special damages in an amount to be determined at trial.

10 99. Upon information and belief, plaintiffs allege that each Defendant's conduct was
11 done with oppression, fraud and malice and that, therefore, the conduct of each Defendant justifies
12 an award of punitive and exemplary damages.

13 100. Upon information and belief, plaintiffs allege that, unless enjoined and restrained
14 by the Court, Defendants will republish, repeat and continue to disseminate the Articles and
15 Statements and their implications and impressions, all to the continuing injury of Plaintiffs; that
16 such continued republication, repetition and dissemination of the defamatory and offensive
17 falsehoods will cause irreparable harm to the Plaintiffs by damaging their reputations as well as
18 their personal relationships. Upon information and belief, Plaintiffs allege that they lack an
19 adequate remedy at law insofar as damages will be very difficult to calculate for such on-going
20 injuries. By reason of the foregoing, Plaintiffs are entitled to a permanent injunction enjoining and
21 restraining Defendants, and each of them, and all persons acting in concert with them, from
22 republishing, repeating, distributing or otherwise disseminating the Article, the Statements or any
23 of their implications and impressions to the extent such are found in this Action to be false.

24 PRAYER

25 WHEREFORE, Plaintiff prays for judgment as follows:

26 AS TO THE FIRST AND THIRD CAUSES OF ACTION FOR LIBEL:

27 1. For actual and compensatory damages in an amount to be determined at the trial of
28 this action, which plaintiffs believe to be in excess of \$10 million dollars;

1 2. For exemplary and punitive damages to be determined at time of trial;

2 3. For a permanent injunction.

3 AS TO THE SECOND AND FORTH CAUSES OF ACTION FOR
4 FALSE LIGHT INVASION OF PRIVACY:

5 4. For actual and compensatory damages in an amount to be determined at the trial of
6 this action, which plaintiffs believe to be in excess of \$10 million dollars;

7 5. For exemplary and punitive damages to be determined at time of trial

8 6. For a permanent injunction.

9 AS TO THE FIFTH CAUSE OF ACTION FOR
10 MISAPPROPRIATION OF IMAGE AND LIKENESS

11 7. For actual and compensatory damages in an amount to be determined at the trial of
12 this action, which plaintiffs believe to be in excess of \$10 million dollars;

13 8. For exemplary and punitive damages to be determined at time of trial;

14 9. For a permanent injunction;

15 10. For attorneys fees and costs pursuant to statute.

16 AS TO THE SIXTH CAUSE OF ACTION FOR
17 INVASION OF PRIVACY

18 11. For actual and compensatory damages in an amount to be determined at the trial of
19 this action, which plaintiffs believe to be in excess of \$10 million dollars;

20 12. For exemplary and punitive damages to be determined at time of trial

21 13. For a permanent injunction.

22 AS TO ALL CLAIMS AND CAUSES OF ACTION:

23 14. For costs of suit herein incurred;

24 15. For reasonable attorneys' fees;

25 16. For interest on any monetary award to plaintiffs at the legal rate;

26 17. For such other and further relief as this Court may deem just and proper.

27
28 DATED: July 18, 2011.

Respectfully submitted,

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SCOLINOS, SHELDON & NEVELL

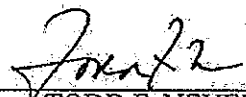
By 
TODD F. NEVELL
Attorneys for Plaintiffs,
TAMMY TOUSIGNANT, TOM
TOUSIGNANT, TANNER
TOUSIGNANT and CONNOR
TOUSIGNANT.

EXHIBIT 1

DAILY MAIL (London)

October 4, 2003

DARK SIDE OF ARNIE

by WENDY LEIGH

HE WAS pumped-up, psyched-up and ready for action. It was the night before the Mr Olympia bodybuilding contest, and Arnold Schwarzenegger was supremely confident that he was destined to win the title for a third time.

At 260lb of solid muscle, the man they called 'The Austrian Oak' exuded self-confidence, flashing the gap-toothed smile that was his trademark, and flexing his muscles at all and sundry.

He was so certain of victory that, after a night of carousing with his fellow bodybuilders and his father Gustav - who was on hand to witness his triumph - Arnold decided that he didn't need sleep. He needed sex.

Within minutes, he had picked up a prostitute, taken her to his room, and ravished her. When she demanded payment, he flatly refused. 'You should pay me,' he smugly declared.

That episode in the German city of Essen more than 30 years ago - described to me by bodybuilder Serge Nubret when I was researching my biography of Arnold - typifies the arrogance, the bravado and the fundamental immorality of the man who stands on the brink of becoming Governor of California.

If Schwarzenegger wins Tuesday's election, he will become leader of the sixth richest economy in the world. It will be a triumph to eclipse all his successes in Hollywood.

Now, however, he finds himself in a storm over his brutal treatment of women that could derail his ambitions at the 11th hour. A flurry of allegations by women he has sexually humiliated over the years has forced him on the defensive.

To readers of the Mail, these accusations will have come as no surprise. Two months ago, in these pages, I revealed some of the seedy reality about 'the groping governor' and his habitual ill-treatment of the opposite sex. On the eve of the election, it appears that my revelations are belatedly being picked up by the American media, with the influential Los Angeles Times publishing its own 'dossier' on his extraordinary behaviour.

But my research has revealed that the Terminator star has still more secrets to hide.

I have spoken exclusively to a woman who was subjected to a terrifying assault by Arnold when they were working together on one of his films.

I have also discovered how his love of humiliating women extends even to his own wife, Maria Shriver, a member of America's powerful Kennedy clan. And behind such tales of rampant misogyny are intriguing stories of Arnold's former links to wealthy gay patrons.

Most explosively of all, I have unearthed remarkable claims that Schwarzenegger sired a secret love child by an air hostess on his private jet. The woman concerned dismisses the allegation as political dirty tricks - but admits that many have pointed to the boy's resemblance to Arnold.

Schwarzenegger's crude sexual approaches to women have been an open secret in Hollywood for the past 30 years.

Until now, women propositioned by him in primitive terms, and aggressively manhandled by him, have been terrified to speak out about his shocking behaviour.

Now, however, six women have finally come forward to tell the truth.

One of those involved is British TV presenter Anna Richardson, whose ordeal I described to Mail readers in my previous article.

She claims Arnold fondled one of her breasts during an interview, and squeezed her nipple, saying he wanted 'to check if they were real'.

There are now new accusers with even more shocking stories to tell, such as a secretary at Columbia Pictures who was introduced to Arnold in a production office by her boss.

The secretary, then in her 30s, sat on a couch opposite him while the star and her boss talked.

At the end of the conversation, the secretary moved towards Arnold to say goodbye. Instead of taking her hand, Arnold slipped his own hand under her skirt, then grabbed her right buttock.

'You have a very nice a***. I'd love to work you out,' he said, his hands still on the shocked secretary's buttocks.

They stayed there for a nerveshredding 20 seconds.

A few days later, Arnold called the secretary's office and said to her: 'Oh, you still haven't come to work out with me.' In another incident, a waitress at the Bicycle Shop Caf in Santa Monica was in the middle of pouring coffee for Arnold - a regular customer - when he asked her to do him a favour.

THE unsuspecting waitress assumed he was about to ask her for more bread.

Instead, point blank, he asked her to go into the bathroom, 'stick your finger into your **** and bring it out to me.' The horrified waitress almost threw hot coffee all over him.

Another woman, a waitress at Fromin's Deli in Los Angeles, turned down one of Arnold's habitually crude propositions. Afterwards, she saw him driving along 19th Street in Santa Monica.

Calling out to her urgently, Arnold said: 'Come close, it's very important.'

She complied, whereupon he 'grabbed and squeezed' her left breast.

As one of Hollywood's highest-paid actors, Arnold has indulged his taste for grabbing women with reckless abandon - yet, because of his star status, he has been neither criticised nor stopped by those who witnessed his aberrant behaviour.

A group of men on the set of Terminator 2 did nothing when they witnessed him walk over to a female crew member, now in her 30s, call out 'Come here, you sexy devil', then pull her on to his lap and whisper a grossly obscene suggestion into her ear.

The woman said of the men who stood by: 'It was like they were proud of him.

Nobody said: "What are you doing? Leave her alone.'" In yet another incident, a film crew member who informed her boss that Arnold had three times pinned her against the corner of a lift and tried to take her robe off and pull down the straps of her swimming costume was merely told to stay away from him.

PERHAPS the most frightening example of Arnold's aggression comes from a slightly-built victim who has never spoken before today.

She refuses to be named, as she still works in Hollywood and is petrified of repercussions from Arnold.

'I worked on a film with Arnold in the years after his marriage to Maria Shriver,' she told me. 'We were in the studio and he followed me into the women's toilets.

'It was scary as he is such a big, tall man. He grabbed me from behind and picked me up off the ground - I was airborne.

'He wanted to have sex with me. He said: "Come on, let's do it. You know how much I want you. I want to feel your t**s and see if they are real."

'He clamped his hand on one and wouldn't let go. He had his arms around me.

I kept saying: "No, no, no." I was trying to get away from him, and he was trying to hold me. It wasn't until I said "I don't want to p*** off Maria, I don't want to p*** off a Kennedy", that he let me go.

'It took a lot of yelling and screaming. When he did all this, he certainly wasn't laughing. He is always kidding or teasing. But there was a certain point when I realised that he was serious about this and that he clearly wanted to sleep with me.

'I realised that when he wouldn't let go. I thought, oh s***, I guess this is a bigger deal than I thought it was.

'Afterwards I didn't say anything to him at all. There was nothing I could do but avoid him. I've seen him since a few times - he treats me as if nothing ever happened.

'I doubt seriously that he even remembers it. It is well known in his camp that he did things such as this.

We used to say: "How does Maria not know?'" FACED with the new allegations in America, Schwarzenegger has admitted to 'behaving badly sometimes' while insisting he was simply being playful.

On the contrary, I believe his contemptuous attitude to the opposite sex is deep-rooted and stems from the formative days of his childhood in Austria.

His mother, Aurelia, a toothy brunette to whom Arnold bears a startling resemblance, was terrorised by his father, an alcoholic and a Nazi.

Aurelia was so maltreated by her possessive husband, who continually - and falsely - accused her of infidelity, that he even forbade her to wear sleeveless dresses in summer.

Arnold witnessed his father's abusive treatment of his mother, and suffered dreadful nightmares as a small child because of it. Yet, instead of renouncing such behaviour, he seems to have copied it.

As a boy, he took delight in whipping little girls with stinging nettles. As a teenager, already a champion bodybuilder and the youngest Mr Europe in history, he treated women as disposable objects - and, dangerously, found his attitude brought results.

At a bodybuilding exhibition in Portsmouth, the young star made it clear to his hosts that he expected to be supplied with a woman willing to comply with his sexual demands.

According to Gordon Allen, a bodybuilding official, a girl was enlisted who readily succumbed to Arnold's charms. After they had sex, Arnold invited her to London to see him compete in the 1967 Mr Universe contest. The girl made the mistake of thinking Schwarzenegger was genuinely interested in her - but his eyes were already roving elsewhere.

'When she arrived in London, he totally ignored her. She returned to Portsmouth in floods of tears,' remembers Allen.

Once he moved to America, becoming a champion bodybuilder there, Arnold's crude approaches to women accelerated. According to one former associate, Armand Tanny, he marched up to a beautiful bikini-clad woman on the beach and simply announced: 'I want to f*** you.' One of his friends hastily intervened, explaining: 'My friend doesn't understand our ways. He is foreign.' Astonishingly, however, the girl was so beguiled by Arnold's bulk that she insisted: 'No, no, let him talk,' and then went home with him.

Indeed, Arnold's crudity met with such success that he continued to proposition women point-blank. 'I saw Arnold walk down a street, see a girl, ask her if she would "like to f***" and he got results,' says fellow bodybuilder Wil McArdle.

This raises many questions about his marriage to John F. Kennedy's niece, Maria Shriver, in 1986. It is clear that Arnold can be a strict and domineering husband - taking a leaf out of his father's book, for example, he refuses to allow his wife to wear trousers.

HE HAS also shown no hesitation about subjecting her to his propensity for humiliation. Once, during a supposedly romantic trip to New Orleans, Maria, Arnold and his bodybuilder friend Boyer Coe went to dinner in the Caribbean Room in the luxurious Pontchartrain Hotel.

The wine flowed, the conversation was lively and Boyer, a Louisiana native, decided to impress Arnold and Maria by ordering them Mile High pie, a New Orleans speciality.

The pie, which is a foot high, is a combination of meringue, chocolate sauce and spumoni ice-cream.

Eager to taste it, Maria was about to put a large spoonful into her mouth when Arnold grabbed her by the back of her neck and pushed her face right into the pie.

The entire room watched in horror as Maria was left plastered with ice cream.

Maria, however, has always professed to love Arnold's sadistic sense of humour. Another of his party tricks is to tell a waitress that a bowl of

cream is off, ask the girl to smell it, then push her face into it.

Asked once about these degrading stunts, Maria declared that she wasn't the least bit appalled by them. So would she mind if Arnold did it to her? 'No, of course not,' she said.

Yet, although Maria is intensely loyal to Arnold - she is credited with masterminding his campaign for governor, and consistently turns a blind eye to all reports of his rampant infidelity - on very rare occasions her mask slips and she reveals the truth about their relationship.

As star reporter for the American television news programme, Dateline, she once carried out an in-depth interview with a rape victim named Karen Pomer.

Over the three days they worked together, 40-year-old Karen gained a dramatic insight into Maria's submissive personality.

'After hours of interviewing me, Maria suddenly turned around and said: "I can't believe your boyfriend stayed with you after you were raped. If I'd been raped, my husband wouldn't go near me again.

He would leave me. I would be damaged goods." She said that in such a matter-of-fact way that I was horrified. It revolutionised my view of Maria.

'To me, she is the ultimate Stepford Wife, similar to the women in the movie who were turned into robots so that they could serve their husbands as if they were slaves.' Equally shocking to Karen was Maria's obsession with her weight - as if she was convinced that Arnold would reject her if she didn't meet his image of bodily perfection.

'She was continually saying: "I'm so fat!

I'm so fat! I'm so fat!," ' says Karen.

'Everyone spent a lot of time reassuring her that she wasn't fat. In fact, I thought she was a little emaciated. But she was obsessed by her weight.'

Maria's submissive attitude to Arnold was formed in the early days of their relationship, when she uncomplainingly shared him with two other women - first with California hairdresser Sue Moray, then with towering Danish actress Brigitte Nielsen.

Moray had preceded Maria in Arnold's life, overlapping with her for a year, and then broke up with him. His affair with Brigitte Nielsen, however, almost ended his relationship with his wife-to-be.

Arnold became involved with the Danish starlet on the set of his film Red Sonja, during filming in Rome. Brigitte, however, wasn't content with being a mere location lover.

She was determined to make Arnold her own, and knew she had every chance of succeeding. 'There was a sensual, stylish magic about her. She was like a volcano just waiting to explode,' said one friend, photographer Riccardo Gay.

The affair was a wild one. Arnold would confide to his ex-girlfriend Sue Moray that Brigitte was prepared to have sex anytime, anywhere.

Another of the actress's friends, Monte Shadow, confirms: 'Brigitte was crazy about Arnold. She is wild, loves sex, and adores someone who is physically stronger than she is. So Arnold was ideal.' SCHWARZENEGGER was so

captivated by her unbridled sexuality that he found himself falling in love with her. He invited her to join him on an Austrian skiing trip, and even took her home to meet his mother.

The ever-compliant Maria had been kept informed of the affair by her on-set spies, but did nothing.

Only when Arnold became so smitten that he raved openly about Brigitte to the media - enthusing: 'She is heavenly. If I could, I would have her in Hollywood tomorrow' - was Maria finally goaded into fighting for her man.

She issued Arnold with an ultimatum: it was either Brigitte or her.

Schwarzenegger, weighing his sexual passion against his soaring ambitions and the prestige of Maria's Kennedy bloodline, ended the relationship with Brigitte - and palmed her off on to his number one rival, Sylvester Stallone.

Now, amid the frenzy of the approaching election, Schwarzenegger is facing new and damaging claims that he also cheated on Maria with a voluptuous California blonde named Tammy Baker Tousignant.

Tammy was in her late 20s when Schwarzenegger first strode on to the chartered private plane on which she was flight attendant. He was instantly beguiled by her, and soon, according to several sources, they became romantically involved.

'Everyone knew that she was Arnold's lover - everyone,' said a source who is employed in the tightly-knit circle of the California charter-jet business.

Tammy would fly all over America with Arnold - to Colorado, to Sun Valley - and as soon as the plane landed anywhere, she would disembark with him, climb into his limousine and drive off with him, leaving the crew watching.

Although she was married at the time of their first meeting - to pilot Tom Tousignant - by 1996 she was separated from her husband and living with her son, Tanner, then three years old.

Tanner was a handsome boy with a wide, toothy smile and a love of sports.

Today at 11, he bears a remarkable resemblance to Arnold Schwarzenegger.

According to one of Tammy's colleagues, Kristin Campbell, she routinely boasted that 'her baby was Arnold's'. The same claim has been made by two other women who knew Tammy well.

By the late Nineties, Maria Shriver allegedly got wind of Tammy's affair with Arnold, and arranged for her to be sacked from her company, Elite.

Questioned about these suggestions yesterday, Tammy, now 38, angrily denied any romance with Schwarzenegger and insisted she was the victim of 'dirty politics'.

Speaking outside her family home in Brea, California, she admitted she worked with the star for 11 years. But Tammy, who is now reunited with her husband and has another son, Connor, six, emphatically denied any impropriety.

'There is a picture out there and they say that my son looks like Arnold.

But he looks like my husband,' she said. 'It is incredibly hurtful for people to be saying these things about my family.'

'I haven't eaten or slept for two days since a reporter from the Los Angeles Times called at my door and asked me about it.

'Everything that is being said is being said with malicious intent.

Arnold was a wonderful person to work for and so was his family.' Tammy believes the gossip may have started because Arnold was very understanding when she gave birth to her first boy.

'He was very kind in the way he treated me,' she said. 'He let me have time off to spend with my son. He was having his son Christopher at about the same time with Maria, and his family was very supportive.

'In the industry that I used to work in, it is very cut-throat and people will say anything because they get jealous. But I never told anyone Tanner was Arnold's child, and it simply isn't true. People are slinging dirt because they have nothing else. I have nothing against Arnold whatsoever. He gets my vote in the election and he is going to win. I wish him all the best.

'I worked for him for a long, long time and I never saw him treating women badly. He was very respectful towards me. I just love all these women saying that he groped them. They wish!' AT THE very least, Tammy's story shows how Arnold's predatory behaviour casts a pall of suspicion and innuendo over women who come into contact with him - however unjustified it may be.

Yet, surprisingly, the suspicions that surrounded him in the early days of his career lay in a very different direction.

My research shows that during his rise to bodybuilding fame, Arnold benefited from the financial largesse of homosexual admirers.

AGYM he ran in Munich was famous for being a homosexual haunt. Each night, gays would gather to ogle bodybuilders while they were working out.

Arnold was ogled more than most..

At the time, he admitted: 'There is a big homosexual following around bodybuilding. A lot of people think we are homosexuals because we attract them. To them, you know, we are heaven.' Arnold's fame spread so rapidly in the gay world that in the 1970s a gay porn filmmaker included footage of him posing for a bodybuilding contest in one of his sleazy films.

He was a gay icon and admirers flocked to his side. 'I watched homosexuals try to seduce him,' said Barbara Outland, his girlfriend in the late Sixties.

Whether or not they succeeded is not on record. However, it seems certain that in his early career, when he was poor and unknown, Arnold did reap financial benefits from his gay groupies.

'When a bodybuilder is very short of money, he will do anything to survive,' bodybuilding champion Ronald Matz told me.

'Some very rich gay men invest in athletes and say, I'll give you a thousand dollars just to pose.' In London in the Sixties, one of the wealthiest gay patrons of bodybuilders was a Spanish millionaire named Paco Arce.

Bodybuilder Rick Wayne met Arce in Geneva and recalls: 'He pulled out a stack of pictures of Arnold taken at his house in a certain way, pictures of him in his underwear.' A second source confirms that Arce showed him the

same pictures, then told him he had paid Schwarzenegger \$1,000 to spend the weekend at his house in Spain and pose for them.

Another of Arnold's wealthy homosexual mentors was British businessman John Dixey, a wellrespected engineer who was involved in the building of the Hyde Park underpass in London.

Rick Wayne describes Dixey's seduction technique: 'He chased me for six months. He offered me an apartment and a regular allowance if I would be his guy.

Finally, he said: "Well, you can pass me on to a friend of yours."

'Dixey specialised in this. He would go to a bodybuilder and then he would pay him to introduce him to another one. He threw money around.' A German bodybuilder named Helmut Riedmeir has told me how Dixey asked him for an introduction to Arnold. Riedmeir says that Arnold didn't know how to handle the situation. 'I told him: "Just relax. You know, just use your imagination."

'With Dixey, it was purely financial. I don't know what he paid Arnold - but he got paid quite well. Afterwards Arnold didn't go into details, he was just pleased with the money. He stayed in touch with Dixey for two years.' Asked about the relationship some years ago, Dixey confirmed that Arnold visited him in his house in Kent, and that he took Arnold sightseeing to the Tower of London, St Paul's Cathedral, and to the theatre. He also met Arnold's father and his brother.

WHILE he denied that he had an affair with Arnold, or that he kept him financially, he confided: 'Arnold was charming and lived in the gym.

'He also ate an enormous amount. He ate as if he were at a trough. It was never one steak, always two. A good meal made him happy - Arnold would do anything for a good meal. He did extremely well out of me. He was a good tease.' Whether or not Schwarzenegger - in his ruthless pursuit of fame and fortune - succumbed to the sexual advances of these wealthy patrons, one thing is certain.

He traded on his spectacular physique, and the desires of the homosexuals around him, working it for all it was worth.

It was the same iron determination to advance his own interests that has taken him right into the heart of American politics.

I, for one, however, am convinced he is utterly unfit for high office. And on Monday, in the second part of this series, I will reveal the truth about his vicious contempt for the very fans who will be voting for him next week.

DAILY MAIL (London)

October 6, 2003

Hitler, a Nazi father, and why the past has returned to haunt Arnie

by WENDY LEIGH

TOMORROW, voters in California are expected to elect film star Arnold Schwarzenegger as their governor.

But in recent days, the star has been engulfed by a wave of accusations about his brutality to women and alleged sympathies for the Nazis. Here, in

<http://www.libertythink.com/arnolddailymail.txt>

4/29/2005

the second of three articles, his biographer reveals the truth about his murky past. . .

Striking a stance reminiscent of a Nazi salute, he turned to a fellow contestant and joked: 'These people are nothing without an Austrian to lead them.' Today, Schwarzenegger stands on the brink of being elected Governor of California. But his Austrian past, and the spectre of Hitler, that nation's most notorious son, are casting a dark shadow over his prospects.

The story begins nine years before his birth, when, on March 1, 1938, his father, Gustav Schwarzenegger - a tall, strong, handsome police chief in the Austrian village of Thal, on the outskirts of Graz - joined the Nazi Party.

At the time, membership of the party was illegal in the still-independent Austria, but that did not deter Gustav, a hot-tempered man who was gung-ho for the party.

He also joined the SA - Hitler's Brownshirts, the most ardent of the Nazis, who spearheaded Kristallnacht, the night on which Jewish shops were destroyed and synagogues desecrated across Germany.

When I originally broke the story of Gustav Schwarzenegger's Nazi past, Arnold categorically refused to comment on it. He then did his utmost to muscle journalists into not reporting it.

In an attempt to suppress reporting of his father's murky past, he compelled all journalists who wanted to interview him at the 1990 Cannes Film Festival to sign an agreement promising not to ask him about my findings, or mention them in their subsequent articles.

As well as making large donations - rumoured to total \$3 million - to the Simon Wiesenthal Centre in Los Angeles, named after the famed Jewish hunter of fugitive Nazis, Arnold also let it be publicised that he was asking the Wiesenthal Centre to investigate his father's past.

That request was highly cynical, and a symptom of Arnold's flagrant disregard for the truth, because - long before he asked the Wiesenthal organisation to investigate his father - Arnold was fully aware of his Nazi activities.

I know that because, in January 1988, Arnold's arch-rival Sylvester Stallone invited me on to the set of Rambo III in Yuma, Arizona, and told me about Gustav Schwarzenegger's Brownshirt career.

HOW DID Stallone know about it? The answer is simple. When Arnold was embroiled in a steamy love affair with fellow film star Brigitte Nielsen in 1984, he took her home to Austria to meet his mother, Aurelia.

Brigitte later described her visit to Stallone after they married - itself a result of Arnold's machinations, as we will see later.

According to Stallone, the actress was astonished by what she saw at the Schwarzenegger home.

'Arnold's mother had pictures all over the house of his father dressed in his Brownshirt uniform,' Stallone told me. 'Arnold made no bones about the fact that his father had been a member of the Nazi Party.' Indeed, Arnold himself has flirted with the glamour of fascism. In recent days, he has bitterly denied claims that he once named Hitler as one of his heroes - but I have RNOOLD SCHWARZENEGGER was angry. He had just gone through his

punishing routine of poses at a bodybuilding contest in Munich, but the German audience had failed to give him the standing ovation he desired.

taped testimony from the man to whom he made those comments, confirming their authenticity.

The remarks were made to George Butler, producer of Pumping Iron, the bodybuilding film that made Arnold a star.

Schwarzenegger allegedly praised Hitler because 'he came from being a little man with no education, up to power'.

On my tape, Butler says that Arnold expressed his admiration of Hitler and the late President John F. Kennedy 'in almost the same breath as being two people who were leaders'. The remarks were cut from the final version of the film.

Manfred Thellig, who worked with Arnold in Munich, recalled: 'Arnold definitely admires the Teutonic period of the Third Reich. He would say: "If I had lived at that time, I would have been one of those Teutonic breeders."' Of course, Arnold now says that he 'despises everything Hitler stood for'. But his failure to face up to his father's own role in the Nazi war machine raises questions about his sincerity.

Gustav Schwarzenegger's war record included serving in the so-called Feldgendarmarie on the brutal Eastern Front, where he was part of a police force in newlyoccupied areas.

In that capacity, the Feldgendarmarie liaised with the Einsatzgruppen, the SS forces responsible for shooting partisans, Jews and Communists and implementing Hitler's Final Solution through the use of mobile gas chambers on specially adapted lorries.

Between June 1941 and January 31, 1942, Einsatzgruppe A, to which Arnold's father's force was linked, reportedly killed 229,052 Jews.

Whether or not Gustav Schwarzenegger was involved in the killings is not known. However, according to Michael Berenbaum, a Holocaust scholar who has written 14 books on the subject: 'He was in the thick of battle during the most difficult times'.

'Clearly, he was in proximity to some of the most horrific military and non-military killings. He was in the heart of hell.' All the evidence points to the fact that during his service in the German army, Gustav Schwarzenegger must have witnessed a large number of atrocities.

When he returned to Austria, what he saw seems to have driven him to drink. Those who knew Schwarzenegger Sr say he routinely drank two litres of wine in an evening. 'Very often he drank so much that he didn't know where he was,' recalled a colleague.

Arnold, his mother, and elder brother, Meinhard, were the victims of Gustav's drink-induced rage. As a small boy, Arnold was terrified of his father.

'Arnold was such a poor child,' remembered one of Gustav's colleagues. 'One day, when Gustav was on the first floor of the police station, Arnold knocked on the door. He was ten years old. "Daddy, Daddy," he said.

'Gustav barked: "Arnold, what do you want?" Arnold trembled and then, simply

because he was so afraid of his father, he wet himself.' Gustav Schwarzenegger's brutality to his sons was legendary in his home village.

Very early on, he schooled them in the discipline of hard work and in the virtues of winning above all else.

He took joy in pitting them against one another in boxing matches and skiing races, challenging them: 'Let's see who's best.' Both boys would then embark on a bitter battle to prove to their father that each was the stronger, and tougher, of his sons. When the contest was over, and the loser thoroughly trounced, Gustav would compel the winner to gloat over the loser.

'Tell me,' he would taunt, 'which one of you is the best?' The loser would then be further mocked and humiliated. Arnold watched, learned, and vowed that when he grew up, he would always be the winner.

GUSTAV also put stress on academic as well as physical prowess. When the boys were allowed the occasional treat of a weekend outing, their joy was tarnished by Gustav's insistence that they write a ten-page essay afterwards describing every detail of the trip.

If they made one mistake, they were forced to recopy it correctly 50 times.

Failure was not tolerated by Gustav, nor was weakness. All of which created in Arnold a deep and abiding contempt for anyone powerless and vulnerable.

'I've always looked down on people who are waiting, who are helpless,' he once proudly declared.

'Ever since I was a child, I would say to myself: "There must be more to life than this," and I found I didn't want to be like everybody else. I wanted to be different. "I wanted to be part of the small percentage of people who were leaders, not the large mass of followers. I was always fascinated by people in control of others." Arnold's brother, a year older than him, was a willing accomplice in helping Arnold live out his contempt for the rest of humanity.

'Arnold and Meinhard were already in high school when the milkman drove his cart along the street in Thal,' one local source told me. 'They stood in the middle of the road and, for no reason, wouldn't let him pass. They hit him and he bled.' The milkman grabbed Arnold's school satchel, with his name plate on it, ran to the police station and confronted Gustav with the evidence of his sons' assault.

The police chief, however, did nothing to punish the boys. While he was willing to discipline his sons for his own satisfaction, when it came to the outside world, neither Arnold nor Meinhard could do wrong in his eyes.

'The Schwarzeneggers were hated in Thal,' says a source who still lives in the village. 'Today everyone loves them, but 50 years ago no one wanted to have anything to do with them.' Meinhard and Arnold became so unruly that when they left the Hans Gross School in Graz, their headmaster, Herr Stanzer, said he had prayed to get rid of them.

MEINHARD was expelled from his next school and then was sent to reform school. He was already a thug and was fast developing into a professional conman.

In his teens, he conned an old couple into giving him money to buy a wreath for his grandmother's funeral.

'The couple were living on a pension and Meinhard's grandmother hadn't died at all,' says one local. 'But he was a good actor so he got the money.'

Meinhard's crooked ways were fuelled by a envy of his brother's growing success as a bodybuilder.

'He showed me magazines with pictures of Arnold in them, but he never heard from him or talked to him,' says Maria Hautz, who was Meinhard's landlady for 18 months. 'He admired Arnold but was a little bit jealous of him.'

Secretly he wanted to be like him.

He envied Arnold all his money. I think that was what made him desperate to make a big score.' In quest of easy money, Meinhard assaulted an old lady in Munich, spent a year in prison, then was arrested again for driving without a licence.

His drinking accelerated and, in 1971, he died in a car accident while driving under the influence of alcohol. Arnold did not attend his funeral.

Nor did he attend his father's when Gustav died in 1972.

ARNOLD has proved many times in his life that his own talents as a devious schemer far outstrip those of his dead brother. One example is the way he disposed of Brigitte Nielsen at the end of their affair. As I revealed in Saturday's Mail, Arnold dumped the actress after an ultimatum from his wife-to-be Maria Shriver.

Brigitte, however, was still obsessed by Arnold and refused to let go, announcing: 'I am unbeatable.' It was then that Arnold hit on a plan so Machiavellian as to defy belief.

Aware that Brigitte was wild, dangerous and capable of unravelling even the most self-disciplined of men, he unleashed her on his rival Sylvester Stallone.

Knowing that Brigitte was attracted to the Rambo actor, he arranged through an intermediary for her to be given details of a hotel where Stallone was staying.

She took the bait, went to the hotel and dropped off photographs of herself at reception. Stallone was instantly smitten, and invited her up to get better acquainted.

Arnold's plan succeeded beyond his wildest dreams. Stallone proceeded to fall passionately in love with Brigitte and showered her with gifts, including a diamondstudded Cartier watch bearing the legend: 'I'll love you till the end of time.' He ended up marrying her, but the union collapsed after just 15 months amid a shower of scandalous rumours that Brigitte had been unfaithful not only with men, but also with her female personal assistant.

Stallone emerged from the marriage emotionally drained and publicly humiliated. So after the divorce was announced, a triumphant Arnold approached Stallone's brother, Frank, at a restaurant in Santa Monica.

Feigning concern for his rival, he said: 'I feel so bad for your brother. I always knew what she was. I only wish I had warned him.' By contrast to these devious ways with rival film stars, his loyalty to his bodybuilding cronies remained strong. After he became a success in America, he involved them in his life to a surprisingly high degree.

In the Seventies, when he was appearing at a Canadian bodybuilding event, he picked up a girl, an employee of bodybuilding magazine publisher Joe Weider, took her to bed with him but failed to perform sexually.

His response, at two in the morning, was to pick up the phone and call Kurt Marnul, his Austrian bodybuilding friend and later his trainer. He asked Marnul to have sex with the girl in his place. 'You have to come down and save the honour of Austria,' he said.

Marnul complied, but was also unable to perform. Finally, a third Austrian friend of Arnold's was summoned and was able to complete the sex act in his stead.

In Los Angeles, Arnold and another bodybuilder, Franco Columbu, started a building business called Pumping Bricks. Years later, Franco would depict it in terms which underscore Arnold's cynicism towards others.

ONE OF our workers ruined a woman's patio by laying the bricks crookedly,' he remembered. 'Arnold said, "Don't worry, we will talk to the lady." 'I said: "Talking to the lady won't move these bricks." But Arnold was convinced he could talk her round. He said: "No matter what happens in a construction site, you have to be able to sell what you have created." 'Sure enough, Arnold convinced the woman that the bricks, by being crooked, were a trendy new European style. She was fascinated, and ended up thanking him for doing such a fine job.

Arnold's contempt for others is also brought out in his propensity for cruel practical jokes. While filming Total Recall in Mexico City, he managed to convince a teetotal female friend to drink a succession of tequilas.

Unaccustomed to alcohol, she vomited all over herself. Arnold, according to a source, 'recalled the story between spasms of laughter'.

He was 43 years old at the time, but his sense of humour resembled that of a sadistic teenager.

A classic illustration of Arnold's twisted sense of humour comes from the early years - and is a story which Arnold himself, for many years, continued to relate with great hilarity and pride.

When he first began his rise to bodybuilding fame, becoming the youngest Mr Europe ever, a young bodybuilder in Graz, named Tieffenbacher, approached him, his eyes filled with adoration, begging Arnold to tell him his training secrets.

'Well,' said Arnold, feigning a friendly interest, 'If you want to build a body like mine, you have to grind up nutshells and add them to a spoonful of salt.

'Eat one spoonful of mixture on the first day. On the second day, increase it to two. On the third, three. And so on, until the 30th day when you should be eating 30 teaspoons. Then you will put on a lot of muscle and you will begin to build a body like mine.' ECSTATIC, Tieffenbacher proceeded to follow Arnold's advice - only to fall seriously ill. Some sources claim he ended up in hospital. Whatever the truth, Arnold recounted his joke over and over, chortling with glee at what he had done to his besotted fan.

It was one of many such stunts.

Page 14 of 17

In Munich, he told a fellow bodybuilder that if he ate 2lb of ice cream, he would develop more muscle. He told another that the trick was to eat 30 cubes of sugar a day.

Because of Arnold's status as king of the bodybuilding world, many a hapless novice took his advice - with dire consequences.

One nearly choked to death after Arnold persuaded him that instead of blending a favourite bodybuilder's concoction of egg whites and vitamins into a smooth paste, he should knead the mixture together and eat it as if it were an apple.

When his former trainer Kurt Marnul warned him that his advice could harm someone, Arnold laughed and said his victims were just stupid. 'Arnold always made a fool of people he didn't respect,' Marnul recalled.

When he was working in Munich, Arnold used his role as gym manager to indulge his perverse sense of humour still further. When a potential new member asked if he could join the gym, Arnold informed him that he first had to pass a test.

'Your membership test,' said Arnold, 'will be to climb out of the gym window and down to street level.' The gym was on the second floor. The aspiring member did exactly what Arnold asked, much to his amusement.

Fellow bodybuilder Wil McArdel says he witnessed Arnold forcing another fan to do what he terms 'a Heil Hitler march'.

'He hates fans that are weak, that give themselves up to him so completely,' says McArdel. 'He almost punishes them for not being themselves.'

'He respects himself because he did everything his way. And he is going to make you into an a**hole if you give yourself up to him.' The voters of California would do well to heed those words. In the final part of this series, as they go to the polls tomorrow, I will reveal the truth about Arnold's racist outbursts and drug abuse.

DAILY MAIL (London)

October 7, 2003

Sexually insecure. A bigot and drug abuser. Would YOU vote for this man?

by WENDY LEIGH

TODAY, Californian voters are expected to elect film star Arnold Schwarzenegger as their governor. Here, in the last of three articles, his biographer urges them to think again. . .

AS ROBBY ROBINSON strode into Gold's Gym, Santa Monica, he felt on top of the world. At 20, he was already one of America's most famous bodybuilders - a Mr Universe, Mr America, and Mr World titleholder - whose nickname was The Black Prince.

He also had a beautiful 19-year-old girlfriend, Elaine Stockton, with whom he was deeply in love.

That morning, Elaine was in the gym ahead of him. Tall and voluptuous, she was chatting happily to another bodybuilder when Arnold Schwarzenegger strolled in.

<http://www.libertythink.com/arnolddailymail.txt>

4/29/2005

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Exhibit A

Even today, nearly 30 years later, what happened next makes Robby Robinson's voice shake with anger.

'Arnold came round behind Elaine and grabbed her breast,' he says. 'She was wearing a loosefitting top and no bra and he reached under her top. He actually touched her breast.'

'Elaine was livid and dug her elbow into him. Arnold yelped, then backed off. I was shocked and horrified by his lack of respect for my girlfriend. He knew we had been together for two years.'

'I sent him a fierce message telling him exactly what I thought of him. From then on, I avoided him as much as possible.' But avoiding the biggest star of the bodybuilding world was not easy. Later, Robinson was invited to appear in Pumping Iron, the documentary that would make Arnold an international celebrity.

WHEN he discovered the project was a showcase for the man who humiliated his girlfriend, and there were no plans to pay other bodybuilders who appeared, he swung into action.

As Robinson recalls: 'We were at Arnold's house in Santa Monica when I spoke out. I faced Arnold and told him that neither I nor the other guys would participate further unless we got paid.'

'Then I started to walk out of the house - and the other guys started to follow me. Arnold watched for a moment, then said: "That's the second time that nigger has defied me."

'We ended up being given \$10,000 contracts for our parts in Pumping Iron, but I never got paid anything.'

'After I stood up to Arnold, my bodybuilding career suffered. I believe that Arnold harmed me with Joe Weider, the magazine publisher who controlled the bodybuilding world in those days.'

'Weider was the man who made Arnold's career and brought him over to America from Europe. After I stood up to Arnold, I could never get a contract from Weider.' The racist tendencies of the man who wants to be Governor of California - a state with a large black and Hispanic population - go right back to his early days as a bodybuilder.

Black contestants then ruled supreme, and it seemed highly unlikely that any white upstart - especially one with an unpronounceable name and an unintelligible accent - would ever vanquish them.

Arnold, though, had other plans.

Black bodybuilder Dave DuPre was working out with Arnold when the Austrian suddenly declared: 'Black people are inferior. You are not capable of achieving the success of white people. Black people are stupid.' DuPre believes Arnold's racism was motivated by a strong sense of sexual inferiority. 'He was always upset that all the black guys were able to go out with all the white girls. He couldn't stand that.' On one occasion, in New York, Arnold was having dinner with black bodybuilder Rick Wayne and Schwarzenegger's patron, Joe Weider, when he noticed a beautiful black cloakroom attendant. He began talking to her, then asked Weider to lend him his car and drove off with her.

Wayne recalls that the next day Arnold made a point of telling him: 'You know, the girl said I was better than any black guy she ever had.' In the late Sixties, Arnold accepted an invitation to stay in South Africa with Reg Park, who had been his bodybuilding hero when he was a teenager.

Later, in his autobiography, Arnold said he was overwhelmed by the older man's luxurious lifestyle - a magnificent house stuffed with antiques and a retinue of servants.

UPON his return to America, he announced to Rick Wayne that he thought South Africans were right to enforce apartheid, adding: 'If you gave these blacks a country to run, they would run it down the tubes.' At the time, Wayne considered him 'an out-and-out racist' but has revised his opinion, citing his long friendship with the star. 'I don't necessarily think he's racist,' he says. 'How can you be a racist and have a black guy as your friend?'

Nonetheless, Wayne can't help recalling moments such as the time in which he asked Arnold how, as an Austrian immigrant, he had conquered Hollywood.

Arnold replied: 'Because I've got the greatest physique in the world, I'm sharp, I'm super-talented.' Then he walked down the corridor, looked over his shoulder and added: 'And I'm white.' Arnold used any trick he could to vanquish the black performers who dominated his sport. Cuban Sergio Oliva, then considered the world's finest bodybuilder, was one such victim. 'Arnold admired Sergio for having the greatest body but discovered he felt vulnerable because of being black,' says Rick Wayne.

Schwarzenegger exploited that lack of confidence with astute psychological warfare. During preparations for the Mr Olympia bodybuilding contest in 1972, he managed to take charge of the décor in the room where the event was to be held, selecting a darkcoloured paint for the walls.

Later, Arnold confided to Rick Wayne: 'It hadn't occurred to Sergio that my white body would stand out against the dark wall, while his would blend right in. To this day I believe that was how I got the edge. The judges saw more than I actually had that day. Sergio suffered for his blindness.' The victory was a major breakthrough. After that, no other bodybuilder - black or white - would beat him again.

Arnold's racist comments extended to Jews as well.

According to Rick Wayne, he sometimes upset his mentor Joe Weider, a Jewish Canadian, by telling crass anti-Semitic jokes in his presence, bringing him to the brink of tears.

According to Dave DuPre: 'Arnold would make fun of Jews. If anybody looked Jewish, he would point it out and tell them they were inferior. I would remind him that it was a Jew who had brought him to America. Then he would shut up.' WITH his 58in chest, his 20in calves, 22in arms and 34in waist, Schwarzenegger the bodybuilder resembled an overblown superman. However, his grotesquely large muscles were not merely born of hard work, but also from his willingness to take steroids.

Though steroids were not yet illegal in those days, many bodybuilders eschewed them, leaving those who did with an extremely unfair advantage - which Arnold, determined to win at all costs, didn't hesitate to take.

In 1966, after offering Rick Wayne a month's supply of Dianabol steroid tablets, Arnold confided that he had been taking steroids since the age of 13.

HIS first trainer, Kurt Marnul, in Graz, had introduced him to them. Marnul also injected him with Primobolin, the champagne of steroids, two or three times a week.

'Arnold took steroids in doses that terrified the other bodybuilders,' recalled an Austrian competitor who trained with him.

'I saw him swallow eight or nine Dianabols at a time.

'Then he'd take a gulp of milk, a handful of protein tablets, and while he was still swallowing and could hardly talk, say, "Right, now I'm ready," and start training.' In the early Sixties, the dangers of steroids were not fully understood, and Arnold took them openly. Helmut Reidmeier, who trained with him, recalled: 'Arnold injected himself with steroids and took them for breakfast, lunch and dinner.' Steroids weren't the only drugs Arnold used. In the film Pumping Iron, he openly smoked marijuana. The late Mike Mentzer, another bodybuilding colleague, claimed that during the Mr Olympia contest in Australia in 1980, Arnold was taking cocaine.

According to Mentzer: 'Arnold was wild. Joe Weider told me later that he was on cocaine that day - and I believe it. His eyes were bulging out, the veins on his forehead were distended - both symptoms of being on cocaine.

'He seemed out of control. His upper lip was curled around like a snarling animal.' There is no evidence that Arnold has taken drugs in recent years.

But these anecdotes are just another symptom of the amoral nature and lack of judgment that make him such an unlikely candidate for political office.

Now, however, the people of California seem set to elect him as their governor. Despite all the recent controversy that has engulfed him, it is highly likely that - given a national culture that values celebrity above all else - he will win today's vote.

If he does, I only hope his supporters do not come to rue their mistake as bitterly as I fear they will.

EXHIBIT 2

The National Enquirer: Arnold Schwarzenegger's Love Child Scandal

Page 1 of 3

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FEATURE STORIES

ARNOLD SCHWARZENEGGER'S LOVE CHILD SCANDAL

On the eve of the California gubernatorial recall election, Arnold Schwarzenegger is embroiled in a love child scandal.

According to an article in the London paper, The Daily Mail, a Californian woman, Tammy Baker-Tousignant, has told pals that Arnold secretly fathered her son while he was already married to Maria Shriver.

Confronted by *The ENQUIRER* in front of her suburban home in Brea, Calif. — where she lives with her husband, Tammy would only say: "I don't want to talk about this." Tammy previously denied the claim to the British press, and Arnold insists The Daily Mail story is not true.

But an inside source told *The ENQUIRER* that Tammy and Arnold were very close a decade ago.


"She was in her mid-20s when she and Arnold first met and struck up a

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Arnold campaigning for California Governor

THE NATIONAL ENQUIRER: Arnold Schwarzenegger's Love Child Scandal

Page 2 of 3

friendship," said the source.

"She was a flight attendant aboard a private aircraft that Arnold frequently chartered.

"While Arnold was married, he was smitten by her bubbly personality.

"She was equally smitten by his celebrity status.

"A pal of Tammy's said that not only was there was an affair between Arnold and the Tammy but that Tammy claimed that her son was fathered by Arnold.

"When I contacted Tammy to ask about her pal's allegation, she denied that her son is Arnold's child.

"But when I pulled her son's birth certificate, I found that the father's name was blank!

"And even the woman herself admits that over the years many people have commented to her on how much her son bears a physical resemblance to Arnold."

The Schwarzenegger love child claim has also been made by several other women who knew Tammy at the time, according to the inside source.

A number of years ago rumors of Arnold's affair with Tammy began to leak out publicly. Several people knew about the rumors and word was getting out.

By the late 1990s, Maria Shriver got wind of it and arranged for Tammy to lose her job.

Reporter Wendy Leigh investigated the love child story for the London paper The Daily Mail and told *The ENQUIRER*: "Despite Tammy's denials, I researched this story for two months and I think it's right on."

But the inside source declared: "Although Tammy dismisses the allegations that Arnold is the father of her oldest son, she hasn't come forward yet with the DNA test that proves it isn't true.

"Until she does, the verdict is out on whether California's Republican candidate for governor fathered a love child."

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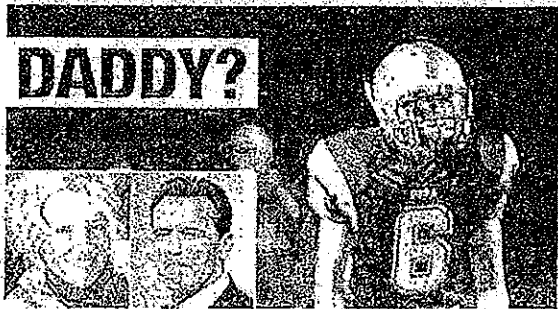
TOP OF PAGE

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Is This Arnold Schwarzenegger's Love Child?

By John Cook, May 17, 2011 02:01 PM



News of Arnold Schwarzenegger having fathered a child with a member of his household staff more than a decade ago shouldn't come as a surprise. The alleged existence of the out-of-wedlock son, including his name and his mother's name, was reported by the London *Daily Mail* in 2003. That's him playing high school football.

The boy, Tanner Tousignant, graduated from Brea Olinda High School in Brea, Calif., last year, according to his Facebook profile. His mother, Tammy Tousignant, served as a stewardess on Schwarzenegger's private jet for 20 years. In a story that's no longer online, the *Daily Mail*'s Wendy Leigh outed her as the mother of Schwarzenegger's child just days before the special election that swept him into the governor's office. The story, which was picked up the *National Enquirer*, the Drudge Report, and the *New York Daily News*, bears quoting at length in light of today's revelations:

Now, amid the frenzy of the approaching election, Schwarzenegger is facing new and damaging claims that he also cheated on Maria with a voluptuous California blonde named Tammy Baker Tousignant.

Tammy was in her late 20s when Schwarzenegger first strode on to the chartered private plane on which she was flight attendant. He was instantly beguiled by her, and soon, according to several sources, they became romantically involved.

'Everyone knew that she was Arnold's lover - everyone,' said a source who is employed in the tightly-knit circle of the California charter-jet business.

Tammy would fly all over America with Arnold - to Colorado, to Sun Valley - and as soon as the plane landed anywhere, she would disembark with him, climb into his limousine and drive off with him, leaving the crew watching.